

Ireland's international trade, innovation, leadership and competitiveness with the ultimate objective of increased exports, employment and prosperity in Ireland.

Mr. Egan went on to provide a detailed presentation to the Members on the role and services provided by Enterprise Ireland under the following headings:

**Clients:**

- Export Performance 2003 – 2012
- Client exports by territory
- Employment in Enterprise Ireland Companies in Galway
- Sample of Galway Clients Recruiting
- Enterprise Ireland Global Team
- Client Services Menu
- Client Approach
- Supporting Client Companies to Create Jobs in Ireland
- Supports for Start-ups
- Supports for Existing Companies
- Type of financial Supports for Galway Clients

**Mentoring**

- Galway based Activities 2013 examples
- Supporting 3<sup>rd</sup> Level Research & Innovation in Galway
- Competitive Start Fund
- Space for Entrepreneurs in Galway
- Attracting Inward Entrepreneurs and Start-Ups
- Leadership and Management Development
- Global Office Network
- Access International Markets Week RDS 16<sup>th</sup> – 19<sup>th</sup> September, 2013

The Mayor thanked Mr. Egan for his very informative presentation.

Cllr. Maher asked if Enterprise Ireland take equity in businesses to whom they provide grant aid. He said that this can be a deterrent to some businesses and he is aware of one such business who reportedly transferred to Northern Ireland because of this.

Mr. Egan replied that Enterprise Ireland do not take equity in existing businesses who are successful in getting grant aid but it is necessary to take out equity in start-up businesses due to the risk involved. He said that they never take more than a 10% share and are not represented on the board of these companies.

In reply to Cllr. E. Mannion who asked if Enterprise Ireland has any space in the Conamara area Mr. Egan replied that they have a centre in Letterfrack. He said that their policy is to allow a business to take up the space for a few years and then move on to secure their own

premises, thus leaving the space vacant for another start-up business. He said that Enterprise Ireland does not have funds available to secure any new centres at present.

In reply to Cllr. Broderick, Mr. Egan said that Enterprise Ireland would like to see more start-up business with ambition and a good business idea coming on stream. He said that accessing international markets is very important for Irish businesses and the primary role of Enterprise Ireland is to help Irish clients secure business overseas.

In reply to Cllr. McHugh, Mr. Egan said that Enterprise Ireland interacts with the IDA and through global sourcing, connects its clients with clients of the IDA.

The County Manager thanked Mr. Egan for his presentation and for the ongoing support provided by Enterprise Ireland to businesses in the county. She encouraged the Members to guide entrepreneurs towards Enterprise Ireland in order to avail of their expertise and support mechanisms.

The Mayor then adjourned the meeting and invited the Members to attend a Mayoral Reception to honour Kieran Molloy of Oughterard Boxing Club who won a bronze medal at the AIBA World Junior Championships in Kiev and adjourned the meeting for same.

On the resumption of the meeting, the Mayor proceed to take the presentation by Údarás na Gaeltachta under Mayor's Business.

#### **CUR I LÁTHAIR A FHÁIL Ó ÚDARÁS NA GAELTACHTA**

1528

Chuir an Méara fáilte roimh An tUas. Steve Ó Cúláin, Príomhfheidhmeannach, An tUas. Séamus Mac Eochaidh, Bainisteoir Fiontraíochta & Fostaíochta agus An tUas. Tadhg Ó Conghaile, Bainisteoir Réigiúnach Forbartha Pobail, Údarás na Gaeltachta, chuig an gcrúinniú.

Labhair an tUas Ó Cúláin leis an gcrúinniú agus na baill ansin ar chúlra, struchtúr agus straitéisí an Údaráis:

##### **Cúlra agus struchtúr**

- Dúirt sé gur bunaíodh an tÚdarás i 1980 agus go raibh an tÚdarás freagrach as Forbairt Eacnamaíochta, Sóisialta & Cultúrtha na Gaeltachta.
- Dúirt sé gur Bord de dhá dhuine dhéag a bhí ag an Údarás – 5 ainmnithe ag na Comhairlí Contae (Gaillimh, Dún na nGall, Ciarraí, Maigh Eo agus an Mhí) agus 7 ainmnithe ag Aire na Gaeltachta, an Cathaoirleach san áireamh.

##### **Spriocanna an Údaráis**

- Cruthú Fostaíochta & Cothú Fiontraíochta /Creating employment & Stimulating Enterprise
- Teanga & Cultúr / Language & Culture
- Pobal & Sóisialta / Community and Social

##### **An Ghaeltacht**

- Páirteanna de chontaetha na Gaillimhe, Dhún na nGall, Maigh Eo, Ciarraí, Corcaigh, Port Láirge, An Mhí - Daonra iomlán de nach mór 100,000 – **48,907 i nGaeltacht na Gaillimhe**

### An tÚdarás i nGaeltacht na Gaillimhe

- 2,730 duine fostaithe i gcliaint-chomhlachtaí de chuid an Údaráis go lánaimseartha ag deireadh 2012 chomh maith le 216 go páirtaimseartha agus 140 séasúrach.
- 471 cliaint-comhlachtaí an Údaráis i 2012 ó mhicra-fhiontair go fiontair mhóra.
- Os cionn €4m ceadaithe ag an Údarás do thionscadail i nGaeltacht na Gaillimhe i 2012 le hinfheistíocht iomlán de €15.4m
- Eastáit Tionscail/Páirceanna Gnó ag an Údarás sa Spidéal, Indreabhán, Casla, Ros an Mhíl, An Cheathrú Rua, Ros Muc, Cill Chiaráin, Tír an Fhia, Leitir Mealláin.

Thug an tUas Mac Eochaidh cur i láthair chuimsitheach do na Baill ar ról agus na seirbhísí a chuireann Údarás na Gaeltachta ar fáil faoi na ceanteidil seo leanas:

### Tacaíochtaí don Fhiontraíocht

#### Tacaíochtaí Airgeadais/Financial Supports

- Staidéar Féidearthachta/ Feasibility Study
- Taighde & Forbairt / Research & Development
- Caipiteal / Capital
- Fostaíocht/ Employment
- Scaireanna/Shares
- Traenáil/ Training
- Meantóireacht/ Mentoring

### Plean Forbartha an Contae

- Pleanáil Teanga

Labhair an tUas. Ó Conghaile leis na Baill ansin agus rinne achoimre ar an tacaíocht a bhí Údarás na Gaeltachta a chuir ar fáil do phobail mar seo leanas:

### Tacaíochtaí Pobail & Sóisialta

- Tacaíochtaí d'eagrais pobail / Supports for Community Organisations
  - Deontais Reachtála / Administration Grants
- Scéimeanna Fostaíochta Sóisialta / Employment Schemes
  - Cabhair le pleananna & iarratais / Administrative assistance
  - Scéim Fostaíochta Pobail, / Social Employment Scheme
  - Scéim Sóisialta Tuaithe / Rural Social Scheme
  - Scéim TÚS / TÚS Scheme
  - Scéim Seirbhísí Pobail/Community Services Programme
  - Scéim Forbhartha Pobail/Community Development Programme

### Fostaíocht i scéimeanna/Employment in schemes

Scéim	Saoistí	Rannpháirtithe
Fost. Pobail	10	202
SST (RSS)	5	104
TÚS	3	61
Tús Nua (J.I.)	0	9
Iomlán Total	18	376

### Cultúr & Teanga/Language & Culture

- Ionad Seirbhísí Teanga / Language Services Centres
- Cúrsaí Gaeilge & Trí Ghaeilge / Irish language courses
- Naíonraí / Preschools trí Ghaeilge
- Clubanna Óige & Ionad Buail Isteach / Youth Clubs & Drop in Centres

Ghlac an Méara buíochas leis na cainteoirí as ucht a gcur i láthair chuimsitheach.

Chuir na Baill fáilte roimh na cainteoirí ag lua go bhfuil ról fíor thábhachtach ag an Údarás do cheantair Gaeltachta go háirithe na scéimeanna fostaíochta a bhainistíonn agus a fheidhmíonn siad agus a bpleananna don Ghaeilge go háirithe sna ceantair ina bhfuil úsáid na Gaeilge lag.

Dúirt an Comh. Ó Curraoin go gcuirfeadh sé fáilte roimh tuilleadh maoiniú don Údarás agus don Chomhairle Contae i dtreo na Scéimeanna Fostaíochta chun na daoine óga a mhealladh le fanacht sa mbaile nó go bhfeabhsaíonn cúrsaí eacnamaíochta.

Rinne an Comh. Ó Tuairisc comhgháirdeachas le feidhmeannaigh an Údaráis as a gcur i láthair, ag lua go raibh sé mar bhall boird ar an Údarás le 12 bliain agus bhí eolas mhaith aige ar an obair luachmhar a bhí dhá chur i gcrích ag an Údarás. Dúirt sé gur léirigh an tÚdarás agus Gaeltarra Éireann rompu, fadbhreathnaíocht thar na bearta i dtógáil áiseanna i gceantair imeallacha nó scoite amach e.g. Corr na Móna, Gaoth Dobhair srl. agus gur mheall siad fostaíocht chuig na hOileáin a bhfuil ard mholadh tuilte acu dá bharr.

Dúirt an Comh. Ó Laoi, Ball de Bhord an Údaráis, go raibh an tÚdarás fíor thábhachtach do Chonamara agus na ceantair Ghaeltachta eile ar fad, le os cionn 3000 post curtha ar fáil i nGaeltacht Chontae na Gaillimhe. Dúirt sé go raibh an comhoibriú idir an tÚdarás agus Comhairle Chontae na Gaillimhe fíor thábhachtach ó tharla go bhfuil sé riachtanach go mbeadh cothabháil agus feabhas curtha ar infreastruchtúr na Gaeltachta, cosúil le gréasán na mbóithre, leathanbhanda, línte snáth optaice Dúirt sé gur fhan maoiniú don Údarás ag an leibhéal céanna le cúpla bliain anuas agus go raibh súil aige go méadófaí an maoiniú sa toadhchá. Dúirt sé gur ceann de spriocanna straitéiseacha an Údaráis ná forbairt an ionad cuairteoirí ag Teach an Phiarsaigh. Dúirt sé go raibh ról an Údaráis sa bpleanáil teanga fíor thábhachtach agus go raibh an fhoireann ag obair fíor chrua ar seo.

D'fhreagair an tUas. Ó Cúláin an Comh. Ó Tuairisg maidir le cúrsaí foirne agus maoinithe agus dúirt go gcruthaíonn staid eacnamaíoch reatha dúshláin don Údarás mar a dhéanann d'eagraíochtaí eile. Thagair sé do na cúramaí breise atá faoi choimirce an Údaráis, Straitéis Fiche Bliain na Gaeilge san áireamh, ag nótaíl nach raibh aon mhaoiniú bhreise ar fáil chun tacú lena ról sna réimsí nua seo. Dúirt sé, áfach, gur díoladh cuid den mhaoin agus na foirgnimh a bhí acu le comhlachtaí agus gur chuir sé sin riar maoinithe ar fáil dóibh.

Mar fhreagra ar an gComh. Ó Laoi dúirt sé go raibh cúrsaí leathanbhanda agus luas an leathanbhanda sin ar a gclár oibre i gcónaí acu ó tharla é a bheith ríthábhachtach do na hearnálacha closamhairc, na meáin agus tionscail eile i gConamara.

Mar fhreagra ar an gComh. E. Mannion dúirt sé go raibh 80 duine ag obair in Údarás na Gaeltachta agus dúirt go raibh spás acu i gCorr na Móna a bheadh dhá chuir ar fáil do thogra nua go gairid. Dhearbhaigh sé chomh maith go raibh coinníoll teanga san áireamh do ghnólachtaí a bhí ag úsáid seirbhísí an Údaráis.

Ag freagairt an Comh. Feeney dúirt sé go raibh comhcheangaltacht agus infreastruchtúr fíor thábhachtach don Ghaeltacht agus gur thacaigh an tÚdarás i gcónaí le tograí infreastruchtúir ag áireamh Seachród Sheachtrach Chathair na Gaillimhe agus an R336Bóthar Rochtana Chonamara.

Mar fhreagra ar an gComh. Hoade dúirt sé go dtugann siad maoin ar chíos do chomhlachtaí atá ag tosú amach ar chíos laghdaithe.

Mar fhreagra ar an gComh. Welby dhearbhaigh sé go dtacaíonn an tÚdarás le earnáil na feiliméireachta éisc le blianta fada agus i gcónaí má chloínn siad le riachtanais pleanála agus eile.

**IT WAS PROPOSED BY CLLR. CUDDY, SECONDED BY CLLR. NOONE, AND AGREED, THAT THE STANDING ORDERS BE SUSPENDED IN ORDER TO ALLOW THE MEETING TO CONTINUE AFTER 6PM.** 1529

**AUDIT REPORT ON THE ACCOUNTS OF GALWAY COUNTY COUNCIL FOR THE YEAR ENDING 31<sup>ST</sup> DECEMBER 2012** 1530

Report dated 16/9/13 was already circulated to each Member.

The Members agreed to note the Audit Report on the Accounts of Galway County Council for the year ending 31<sup>st</sup> December, 2012

**TO CONSIDER FINANCIAL REPORT OF THE COUNCIL FOR THE PERIOD ENDING 30<sup>TH</sup> JUNE 2013** 1531

Report was already circulated to each Member.

The Members agreed to note the Financial Report of the Council for the period ending 30th June, 2013.

A discussion then took place and in reply to a query from Cllr. Broderick, Mr. Mullarkey said that internal receipts are dealt with as capital rather than revenue funds and the proceeds of the tenant purchase scheme are allocated for capital works.

In reply to Cllr. Cuddy who asked what impact will the receipts from the property tax have on the spending of the Council, Mr. Mullarkey said that these proceeds will be sent to the DOECLG by the Revenue Commissioners. The Department will then allocate this money back to local authorities through the local government fund. Therefore, the local property tax will replace the exchequer contribution to the local government fund.

Cllr. Broderick referring to the budget provision for traveller accommodation asked if the Roads Section could avail of legislative provisions to solve the problem of caravans located in the vicinity of Ballyforan, Mr. Gilmore said that the landowners in question have powers under the Housing Miscellaneous Provisions Act in dealing with such matters.

Mr. Cummins said that there is no issue as regards road safety or litter pollution in this regard and he advised that this matter should be discussed at area committee level.

In reply to Cllr. Willers regarding funding for the Control of Horses function of the Council, Mr. Cummins said that the Council has been notified that from 1<sup>st</sup> September, 2013 funding in this regard has been reduced making it impossible for the Council to lift wandering horses within the limits of funding available from the Department. He said he has contacted the Department of Agriculture and Food in this regard in an attempt to retain the allocation of funding necessary for this important function and awaited a response. He also said that the Council has gone to tender with nine other local authorities for a contract for lifting horses and it was hoped to achieve savings through the joint procurement process.

Cllr. Willers stated that the Council has done great work in dealing with the problem of wandering horses, but it is only the tip of the iceberg and she urged that Members request the Minister to continue the current level of funding in order to adequately fund this work.

In reply to Cllr. Broderick, Mr. Cummins said that it costs in excess of the €350 available from the Department as of September 2013, to lift a horse.

In reply to Cllr. Hoade, Mr. Cummins explained that the Council will be the lead authority on behalf of nine local authorities as regards an invitation for tenders for the lifting of horses and in this way, it was hoped to secure a very competitive tender. However, he said the Council will not be able to afford to continue lifting horses with the reduced funding allocated from 1<sup>st</sup> September 2013.

Cllr. McClearn said that it is also important to reduce the number of horses on commonages and a way to tackle this problem is to target stallions. Cllr. D. Connolly agreed that something must be done to cull the number of horses on commonages.

Cllr. Willers proposed "that Members of Galway County Council would ask the Minister for Agriculture & Food to continue funding to Galway County Council for the disposal of horses which are abandoned throughout the County". This proposal was seconded by Cllr. Maher, and agreed.

**TO RECEIVE A PRESENTATION ON THE PAVEMENT SURFACE EVALUATION AND RATING OF LOCAL ROADS.** **1532**

Mr. Gilmore informed the Members that the Council recruited a number of Civil Engineering Interns to carry out a scientific evaluation of the local roads network in County Galway and proceeded to summarise the Evaluation Report as follows:

Background

- Need to define extent of network
- Need to assess road conditions in a structured manner
- Reducing funds on roads expenditure
- Reduced funds should be allocated in a targeted fashion to achieve clear objectives
- Outcomes should be measured against a baseline
- Effectiveness of roads expenditure should be demonstrable

Summary of Survey Savings

- Condition rating 4 is regarded as a minimum acceptable road condition rating
- 81.33% of Local Roads have a condition factor greater than 4
- 18.67% of Local Roads have a condition factor less than 4
- LP 7%, LS 16% and LT 35% less than 4
- Survey suggests local tertiary roads should be targeted for extra funding
- Total cost to rectify deficiencies on network is approx €246m
- Total funding available for road maintenance in 2013 was €24.2m
- Estimated minimum annual road maintenance and restoration costs to maintain a satisfactory road network is estimated at €30m plus over a sustained period.
- This sum does not include schemes for major improvement, bridge repair, traffic management, safety etc.

The Members thanked Mr. Gilmore for the presentation.

Comh. Ó Tuairisg asked Mr. Gilmore to show the map of the road network in Athenry Area and the Conamara Area in order to make a comparison of both. He pointed out that there is a major difference between the two areas in that Conamara has a very poor network of local roads.

Cllr. Cunniffe welcomed the survey which he described as an excellent exercise which will help target funds for roads into the future.

Cllr. Roche also welcomed the report and he noted that 18.67% of local roads in the county have a condition factor of less than 4. He asked if these roads would be given priority over other roads.

Cllr. Noone welcomed the measurement of the state of repairs of local roads but he said that the Council should have a system in place to repair roads when necessary even if they do not fall within the required category in the survey.

Cllr. Cuddy said that the funding for roads is less now than it was in 2002 and this is leading to a very serious problem as regards roads repair. He said that the Council should come clean and inform the public that funding for roads is reducing all the time and is inadequate.

Comh. Ó'Laoui welcomed the report as a template for addressing issues of maintenance and repair noting the importance of the road network in Conamara in terms of maintaining important connectivity both within and to the region.

The Members agreed to note the Report on the Pavement Surface Evaluation and Rating of Local Roads.

**TO RECEIVE AN UPDATE ON THE PROGRAMME OF FLOOD MITIGATION WORKS AND SCHEMES** 1533

*Report dated September, 2013 was circulated to each Member.*

The Report dealt with proposals at the following locations:

- Dunkellin River & Aggard Stream Flood Relief Scheme
- Clare River Flood Relief Scheme
- Kiltartan/Kinvara Minor Works application
- Kiltiernan/Ballinderreen Scheme
- OPW Non-Coastal Minor Works Flood Relief Schemes by Electoral Area.

The Mayor said that excellent work has been done by the OPW in flood mitigation works throughout the county.

Cllr. Cuddy referred to the Clare River mitigation works and said that he has spoken with the OPW and was informed that they await sanction from the Minister for the Finance for the necessary funding and expressed disappointment with the slow pace of the scheme. Cllr. Noone also expressed disappointment that work on the Clare River has not commenced yet.

Mr. Gilmore said that the Clare River Scheme is ready to commence, pending the go ahead from the Department and it is expected that this decision will be received shortly.

In reply to Cllr. G. Finnerty regarding the Dunkellin River, he said that a design of the scheme with an appropriate cost benefit analysis had been agreed and it was expected that this scheme will be lodged for planning approval within 6 – 8 weeks.

Cllr. D. Connolly referred to the River Suck and in particular blockages on the river channel. He said that a report on this has been completed but no action has been taken. He asked that this river be cleared of blockages as a matter of urgency as the chance will be lost if it is left any later in the year and this could have serious consequences if not addressed.

Cllr. Willers welcomed progress on the Dunkellin Scheme but expressed disappointment at the length of time it was taking to progress the scheme, stating that now that the issue of design and cost benefit had been addressed she looked forward to more rapid progress. She also referred to a Notice of Motion she submitted for the meeting asking Galway County Council to seek funding from the OPW regarding flooding at Derreen, Gort and the answer was that Galway County Council will inspect the location and consider it for inclusion in the minor works application to the OPW. She said she is not happy with this reply and there is no point in wasting time inspecting the location if nothing is going to be done as a result.

Cllr. Feeney asked if the planning application regarding Dunkellin will be a Part 8 planning application. He welcomed the Oranmore to Derrydonnell works which are underway at



present but he said that there are open drains there with no barriers and locals are fearful of accidents as a result. He asked are there any plans to provide barriers at the location.

In reply to Comh. Ó Tuairisg who said there is potential for flooding at some bridges in Conamara, Mr. Gilmore said if he was aware of particular bridges at risk of flooding he should notify the Council so that they can be evaluated and considered under minor schemes.

Mr. Gilmore said that the Dunkellin Scheme was complex in terms of achieving a design that met cost benefit criteria and that the scheme would be presented at Electoral Area Committee and then full Council prior to being submitted to the Strategic Infrastructure Division of An Bord Pleanála.

In reply to Cllr. Roche who asked if schemes which were assessed previously as regards cost benefit and were not successful could be reconsidered, Mr. Gilmore said that these could be looked at again in terms of a revised design options with a view to meeting the necessary cost benefit criteria.

**TO CONSIDER ENDORSING A BID FOR THE COUNTY OF GALWAY TO HOST THE NATIONAL FAMINE COMMEMORATION 2014** **1534**

*– Report dated 20<sup>th</sup> September, 2013 was circulated to each Member.*

Mr. Owens summarized the Report stating that in June 2013, Deputy Jimmy Deenihan, Minister for Arts, Heritage and the Gaeltacht, as Chair of the National Famine Commemoration Committee, invited local authorities in Connacht to submit an application to host the National Famine Commemoration which is due to be held in Connacht in 2014.

It has been indicated that only one proposal for each county/city area should be submitted and that locations which have not previously hosted the National Famine Commemoration will be considered more favourably.

He stated that an Internal Working Group was formed in July 2013 to facilitate the preparation of a bid for the County of Galway to host the National Famine Commemoration. The draft bid as developed by the Working Group proposes to host the formal State Ceremonial event in Portumna on Sunday 18<sup>th</sup> May 2014 with a series of community events, lecture series and conferences held at the Irish Workhouse Centre, Portumna during the period 9<sup>th</sup> – 17<sup>th</sup> May 2014.

He confirmed that the draft bid was currently being finalized for submission to the Department of Arts, Heritage & the Gaeltacht by 4<sup>th</sup> October, 2013 for assessment by the National Famine Commemoration Committee.

He said that the Corporate & Cultural Strategic Policy Committee had endorsed the bid and he invited the Members to also consider endorsing the bid.

On the proposal of Cllr. McClearn, seconded by Cllr. Noone, the Members agreed to endorse the bid for the County of Galway to host the National Famine Commemoration 2014.

**MANAGER'S BUSINESS**

1535

Mr. Kelly circulated a report, dated 19<sup>th</sup> September 2013, entitled "Correspondence regarding revocation of Planning Permission – Windfarm at Shannagurraun" and outlined that the Members previously considered a request for a revocation of a planning permission granted in the townlands of Lettergunnet and Doirecrih which had a planning reference 10/1214 and this request was brought to the attention of the full Council at the Monthly Meeting of October 2012. He said that in April 2013 Galway County Council received correspondence from the Lettergunnett Community Group contending that the planning permission for the Shannagurraun wind farm development should be revoked under Section 44 of the Planning and Development Act 2000 on the grounds that the development contravenes provisions of the County Development Plan 2009 – 2015.

He indicated that while the correspondence received did not quote any particular planning reference number it is understood that the submission relates to Planning reference no. 10/1225 submitted by Enerco Energy Ltd.

He continued by outlining the development history of Planning Reference 10/1225, submitted by Enerco Energy Ltd for a ten-year planning permission to construct a windfarm, outlining details regarding the Commencement Notice, Compensation and Planning Reference 10/1225 – Environmental Impact Statement.

He noted that in the County Development Plan 2009 – 2015 as originally adopted the area of this site was designated as an "Area for Consideration", while in the variation of the Plan in September 2011, which incorporated the Wind Energy Strategy, the site was designated as being "Open for Consideration".

He advised that the legislation provides that where a development has commenced, the revocation function may be exercised, when consequent to the making of a variation of the Development Plan, these works would contravene the plan before they are completed. In this case, the development has commenced and the only relevant variation of the plan was the incorporation of the Wind Energy Strategy which has deemed the site as "Open for Consideration" for wind farm development.

He stated that it was therefore considered that the development does not contravene the provisions of the County Development Plan and the criteria for the revocation of a planning permission have not been met.

Mr. Kelly concluded his presentation of the report by advising that the matter was considered by the Corporate Policy Group at its meeting on Monday 16<sup>th</sup> September 2013 and the conclusion as set out in the report, as circulated to Council, was agreed by the Corporate Policy Group. The Members agreed to note the Report.

Mr. Mullarkey referred to the fact that people have up until 30<sup>th</sup> September, 2013 to get vehicles declared off the road by the Gardaí and that from 1<sup>st</sup> October, 2013 it will be necessary to declare vehicles off the road in advance. He advised that as of the 1st October, vehicles without motor tax up to date would be liable for arrears from the date of the last period of tax, unless a change of ownership applied and if so liability would apply from the date of the change in ownership.

Mr. Mullarkey in reply to Cllr. D. Connolly, confirmed that public notices advising of the changes in the system were placed in the print media by the Department of Environment, Community & Local Government. Cllr. Willers referred to the need to ensure that young people who had emigrated but who had vehicles off the road were made aware of the need to declare them off the road in advance of the relevant period from the 1st October.

Mr. Cummins informed the Members that the Council has commenced preparation of the Draft 5-year Traveller Accommodation Programme 2014-2018 which will be operational from January 2014 to December, 2018 and that a public notice inviting submission had been published.

The Manager referred to the Progress Report on the Galway County PeopleTalk Jury which had been circulated to each Member, for their information. She confirmed that the Jury was in place and progressing implementation of the initiative.

The following items of correspondence which were circulated at the meeting were noted:

- Correspondence dated the 2<sup>nd</sup> August, 2013 from the Department of Transport, Tourism and Sport in response to the Council's letter of 28<sup>th</sup> May, 2013 in relation to Galway County Council's applications under the pilot Community Involvement Scheme.
- Acknowledgment from the Office of the Minister of State at the Department of Arts, Heritage and the Gaeltacht dated the 30<sup>th</sup> July, 2013 to the Council's correspondence to Jimmy Deenihan T.D., in relation to the rights of domestic turf-cutters.
- Acknowledgment from the Office of the Minister for Justice and Equality dated the 29<sup>th</sup> July, 2013 to the Council's letter to Alan Shatter T.D., in relation to the rights of domestic turf-cutters.
- Acknowledgment from the Office of the Taoiseach, dated the 25<sup>th</sup> July, to the Council's letter to the Taoiseach of the 23<sup>rd</sup> July.
- Acknowledgment from the Office of the Minister of State at the Department of Arts, Heritage and the Gaeltacht dated the 8<sup>th</sup> August, 2013 to the Council's correspondence to Dinny McGinley, T.D.
- Correspondence dated the 20<sup>th</sup> August, 2013, from An Roinn, Ealaíon, Oidhreacht agus Gaeltachta, An Brainse Logainmneacha regarding the Council's letter of the 31<sup>st</sup> July, 2013 in relation to the Irish language name of Gort, stating that the submission will be considered in due course.
- Correspondence dated the 19<sup>th</sup> July, 2013, regarding a motion passed that Offaly County Council write to the Minister for Health to highlight the importance of Community Care and the role of the Public Health Nurse.

- Correspondence dated the 19<sup>th</sup> July, 2013, regarding a motion passed that Offaly County Council supports the radical reform of Seanad Éireann.
- Correspondence dated the 24<sup>th</sup> July, 2013, regarding an adoption that Dundalk Town Council calls on the Government to give official recognition status to Irish sign Language which would improve the lives and well being of our deaf and hard of hearing citizens.
- Correspondence from Clones Town Council dated the 30<sup>th</sup> July, 2013, regarding a motion passed calling on the Minister for Health, Dr. James Reilly, T.D., to confirm that discretionary medical cards will not be withdrawn from cancer patients who are not considered terminally ill.
- Correspondence from Kildare County Council dated the 7<sup>th</sup> August, 2013 regarding a resolution passed (i) that the Council calls on the Minister for the Environment, Community and Local Government in the context of his proposed reform of local government, to ensure that funding will be allocated in a fair manner across the proposed Municipal Districts within the Local Authorities, and (ii) in view of the ongoing housing crisis in the local authority sector, that Council calls on the Department of Environment, Community and Local Government Housing Section to invest a minimum of € 100,000,000 on a house building programme.
- Correspondence dated the 1<sup>st</sup> August, 2013 from Macroom Town Council regarding a motion adopted that the Council calls on Minister Phil Hogan to write to all Town Councils explaining the breakdown of exact savings that are to be made by the proposed abolishment of Town Councils.
- Correspondence dated the 16<sup>th</sup> August, 2013 from Limerick City & County Council regarding a resolution passed that the Council calls on the Government to carry out a serious review of its present policies on Free Legal Aid, with a view to having people who currently qualify for Free Legal Aid making a substantial contribution themselves; and that having been means-tested as eligible for Free Legal Aid, applicants would select from a panel of the legal profession, directly employed by the State on a fixed annual salary; and that recipients of Free Legal Aid should have the cost associated with this aid paid back through the following ways: (i) if in receipt of Social Welfare, a weekly deduction should be taken from same, (ii) if a property owner, a charge should be put on this property which could be collected with interest if that property is sold in the future, or handed down.
- Correspondence dated the 19<sup>th</sup> July, 2013 from Offaly County Council regarding a resolution passed that the Council support the Restaurant Association of Ireland's campaign "Keep VAT at 9%".
- Correspondence from Ennis Town Council dated the 13<sup>th</sup> September, regarding a resolution adopted that the Council request the Minister for Health to revise the scheme for chronic illnesses and that people in Clare suffering from Crohns disease, Alzheimers, and Coronary Heart Disease be recognised as suffering from life long conditions and be included in the Long Term illness Scheme. And that the fee for these people attending Accident and Emergency be immediately eliminated".
- Correspondence dated the 16<sup>th</sup> September, 2013 regarding a resolution adopted by Leitrim County Council that the Council call on the Minister for Finance and the Central Bank to ensure the protection of the structures and local branches of the Credit Union Movement throughout the country and to give every support to the

members and officers who work tirelessly on behalf of the people for a better and fairer Ireland.

**MAYOR'S BUSINESS**

1536

In reply to a query raised by Cllr. Broderick regarding surveys being undertaken on access roads to the motorway in Ballinasloe & Loughrea by an independent firm with the apparent assistance of An Garda Síochána, Mr. Gilmore confirmed that he was not aware of same but that permission may have been sought through the relevant area office.

Mr. Gilmore confirmed that there was no question that additional tolls or a toll plaza would be imposed without the making of a Toll Scheme and that he would arrange to contact An Garda Síochána and M6 with a view to establishing the basis for the surveys.

Comh. Ó Cuaig proposed "that Galway County Council call on the Minister for Transport, Leo Varadkar, to withdraw the decision on centralisation of driver licensing". This proposal was seconded by Cllr. T. Walsh and agreed.

Cllr. D. Connolly proposed Notice of Motion No. 20 which he submitted for the Meeting as follows "That Galway County Council supports service users, service providers and the Community of Ballinasloe and East Galway in their campaign to retain the 22 bed acute unit at St. Brigid's Hospital; as the HSE decision to close these beds is based on unsound criteria and contrary to A Vision for Change. We call on the Fine Gael/ Labour Government and in particular Ministers James Reilly TD and Kathleen Lynch TD to immediately take control of this situation and reverse this unsafe HSE decision." This proposal was seconded by Cllr. Broderick, and agreed.

Cllr. D. Connolly proposed Notice of Motion No. 21 which he submitted for the Meeting as follows "That Galway County Council supports SIPTU's call for Minister Hogan to engage with Local Development Company (LDC) workers and their union to address their issues arising from the planned alignment of LDC's with Local Authorities."

Cllr. Broderick requested clarification on whether the motion as proposed was contrary to the Council's position as a pilot local authority to lead on the alignment process and the establishment of the Socio-Economic Committee. In reply the County Manager welcomed the prospect of the alignment of local government and local development while indicating that any issue relating to staff of the local development companies was beyond the remit of the local authority and as she understood that the structure of same was as independent limited companies, expressed the view that it would be surprising that the Minister or Department would have a direct role in employer/employee relations.

The proposal, as proposed by Cllr. D. Connolly, was seconded by Cllr. Canney, and agreed.

Cllr. Cuddy proposed Notice of Motion No. 27 which he submitted for the Meeting as follows "That Galway County Council supports the campaign of the Restaurants Association of Ireland to keep the VAT rate for Tourism and Hospitality at 9% into 2014 and beyond and

that the resolution when passed would immediately be forwarded to the Minister for Finance." This proposal was seconded by Cllr. Welby and agreed.

Mhol an Comh. Ó Tuairisg "Molaim go n-iarfaidh ar an Aire Coimirce Shosalaigh, Joan Burton, go bhfágfaí na hOifigí Leasaithe Pobail atá lomaithe faoi an dtuadh mar atá chun nach mbeidh ar dhaoine taisteal do dtí na bailte móra I gcóir coinne. Ní hé amháin de bharr míchaoithiúlacht agus costas ach tá imní léirithe ag daoine freisin maidir leis an teanga. Bheadh daoine i gConamara nach mbeadh compoirteacht leis an mBéarla."

Cuidiú An Comh. Ó Curraoin leis an moladh agus aontaíodh leis an moladh.

Cllr. Fahy raised the issue of bridge repairs being carried out at Kilcolgan which he said are taking a long time to complete and are impacting negatively on traffic flow and he asked the Director of Services for Roads & Transportation to try to ensure that these works are completed as soon as possible.

Comh. Ó Tuairisg asked Mr. Cummins for the current position regarding replacing fire fighters who have retired from the Fire Service at Inis Mór and Mr. Cummins replied that there are 8 retained firefighters on Inis Mór. Mr. Cummins indicated that the service on Inis Mór cost in excess of €100,000 during 2012 and this must be viewed in the context of 3 call outs. He advised that it was not intended to advertise for positions on Inis Mór and that any decision in relation to the service would need to be considered in the context of the implementation of Keeping Communities Safe and the current review process. He advised of his intention to present the review report and appraisal of options arising from same to the Housing & Emergency Services SPC and the Electoral Area Committee.

Mr. Cummins in reply to Cllr. Welby confirmed that the cost of the service on Inis Mór exceeded €100,000 in 2012 and the expenditure of €100,000 was not the cost of responding to the 3 incidents. He advised that a total of 5 incidents had occurred year to date on Inis Mór and highlighted the need to conclude the review process to allow for consideration of the best allocation of available resources in the context of prevention, protection and response. He said that any decision to be made regarding the Fire Service going forward will be made with the aim of keeping communities safe and managing risk rather than location and geography.

It was proposed by the Mayor that the Council invite Irish Water to make a presentation to the Council and this proposal was seconded by Cllr. Welby, and agreed.

#### **NOTICES OF MOTION**

**NOTICE OF MOTION NO. 17 – CLLR. B. WILLERS**

**1537**

*The following reply was given:-*

"Galway County Council will inspect this location and consider its suitability for a Minor Works application to the OPW. The responsibility for the maintenance of the river channel rests with the adjoining landowners, not with Galway County Council or the OPW."

**NOTICE OF MOTION NO. 18 – CLLR. B. WILLERS 1538**

*The following reply was given:-*

“Quotations have been sought for the fencing off of the property in question, half the cost of which will be paid by the landowner(s). It is expected that these works will be completed within a month.”

**NOTICE OF MOTION NO. 19 – CLLR. B. WILLERS 1539**

*The following reply was given:-*

“Galway County Council has no plans or budget resources available at present to re-instate the lands at Galway Road, Loughrea which were previously earmarked for a proposed swimming pool in partnership with a private developer. Lands adjacent to the site have been developed and open for community use as part of the Loughrea SMARTER Travel Project.”

**NOTICE OF MOTION NO. 20 – CLLR. D. CONNOLLY 1540**

*The following reply was given:-*

“Noted.”

**NOTICE OF MOTION NO. 21 – CLLR. D. CONNOLLY 1541**

*The following reply was given:-*

“Noted.”

**NOTICE OF MOTION NO. 22 – CLLR. G. FINNERTY 1542**

*The following reply was given:-*

“Galway County Council will seek funding from the NRA to provide for an overlay along the N66 Gort to Loughrea. This funding will be sought for works during 2014.”

“Noted.”

**NOTICE OF MOTION NO. 23 – CLLR. G. FINNERTY 1543**

*The following reply was given:-*

*The following reply was given:-*

"The Cloon weir is in the Annagh Drainage District and is in need of repair. Estimates have been sought for the cost of carrying out the necessary repairs. This weir is part of our industrial heritage and it is hoped that funding will be provided by the Council through its Drainage Districts allocation to carry out the required works in 2014."

**NOTICE OF MOTION NO. 24 – CLLR. G. FINNERTY** **1544**

*The following reply was given:-*

"Galway County Council are currently in discussions with the NRA on the potential of providing a safety scheme at Kiltartan under the low cost accident safety schemes. However, any potential scheme will have to be approved and funded by the NRA. Such funding of safety schemes has been reducing in recent years and no timeframe has been agreed as yet with the NRA."

**NOTICE OF MOTION NO. 25 – CLLR. J. MCDONAGH** **1545**

*The following reply was given:-*

"The payment frequencies for the various bands of motor tax are set by Ministerial Regulations and the NVDF (National Vehicle & Driver File) will only process motor tax applications based on these legislative options of quarterly, half year or annual payments. Therefore, there is no flexibility for local Motor Tax Offices to accept any shorter payment frequencies based on individual requirements."

**NOTICE OF MOTION NO. 26 – CLLR. J. MCDONAGH** **1546**

*The following reply was given:-*

"Galway County Council allocates funding annually for the maintenance of towns and villages in the County. If a detailed submission for Lackagh is forwarded to the area office it will be considered, in line with the resources available for such works."

**NOTICE OF MOTION NO. 27 – CLLR. J. CUDDY** **1547**

*The following reply was given:-*

"Noted."

**NOTICE OF MOTION NO. 28 – CLLR. J. CUDDY** **1548**

*The following reply was given:-*



"Galway County Council are currently undergoing a review of speed limits throughout the County. The review of the speed limit on the R339, airport road is part of and linked in to the speed limits review. As such the statutory process must be followed. To finalise the process the processed changes to speed limits must go on public view for 1 month and then a report presented to Council. It is expected this report to Council will go before the Council in November and the process can then be finalised."

**NOTICE OF MOTION NO. 29 – CLLR. J. CUDDY** **1549**

*The following reply was given:-*

"The draft national report on Speed has not been finalised. Any proposals to introduce a default speed limit of 60km/hr on local roads should be agreed at local level initially."

**NOTICE OF MOTION NO. 30 – CLLR. M. FAHY** **1550**

*The following reply was given:-*

"The area office is currently reviewing the scale and extent of works with a view to reducing the overall cost of the flood mitigation scheme so that the minimum cost benefit analysis of 1.5 as set down by the OPW can be achieved. On finalising the works programme for the Kiltiernan/ Ballinderreen drainage scheme, a revised minor works scheme application will be made to the OPW for consideration."

**NOTICE OF MOTION NO. 31 – CLLR. M. FAHY** **1551**

*The following reply was given:-*

"Approximately €45,000 has spent on the development of an extension to Drumacoo Cemetary. Due to the limited funds available for works on burial grounds, it will not be possible to carry out the development of a car park or replacement of a gate. The Community Warden has been requested to investigate the matter of refuse at the cemetary and appropriate remedial action will be taken. With regard to Killeenavara cemetary, this cemetary is not in Council ownership and there are no funds available to carry out works here."

**NOTICE OF MOTION NO. 32 – CLLR. M. FAHY** **1552**

*The following reply was given:-*

"Galway County Council will engage in discussions with the National Roads Authority with a view to seeking funding for the provision of traffic calming measures at Kiltartan along the

N18. Such discussions will establish whether funding can be made available for traffic calming at this location."

**NOTICE OF MOTION NO. 33 – COMH. S. Ó TUAIRISG**

**1553**

*The following reply was given:-*

"Beidh na fála sa gceantar seo gearrtha laistigh den leithdeháileadh do chothabháil bóithre. Ba cheart d'eagraith na scéimeanna luaite teagmháil a dhéanamh leis an innealtóir ceantair go díreach maidir le aon chabhair i gcur na hoibre i gcrích. De bharr ganntanais maoinithe ní bheidh a tacaíocht theoranta ar fáil."

**NOTICE OF MOTION NO. 34 – COMH. S. Ó TUAIRISG**

**1554**

*The following reply was given:-*

"Noted."

**NOTICE OF MOTION NO. 35 – COMH. S. Ó TUAIRISG**

**1555**

*The following reply was given:-*

"There is no funding available in the current year for the provision of a public toilet at Gurteen Beach. The matter will be re-visited in the context of the 2014 budget and available resources and should funding become available the feasibility of this proposal will be further examined."

**CRIOCHNAIGH AN CRUINIÚ ANSIN.**

**SUBMITTED, APPROVED + SIGNED**

*Liam Carroll*

**21<sup>st</sup> October 2013**

**DATE**

**COMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON MONDAY 22<sup>ND</sup> JULY, 2013 @ 2.00 pm**

**CATHAOIRLEACH:**

Cllr. L. Carroll, Mayor of the County of Galway

**I LATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, S. Canney, D. Connolly, M. Connolly, Comh. S. Ó Cuaig, T. Ó Curraoin, Cllrs. J. Cuddy, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, Cllrs. M. Maher, E. Mannion, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Noone, P. Roche, K. Ryan, Comh S. Ó Tuairisg, Cllrs. S. Walsh, T. Walsh & B. Willers.

**Oifigigh:**

Ms. M. Moloney, County Manager; Messrs. F. Gilmore, K. Kelly, J. Cullen, Directors of Service; M. Owens, County Secretary & Meetings Administrator, Ms. Rita Gately, County Veterinary Officer, J. Casey, Assistant Veterinary Officer, G. Kavanagh, Assistant Planner, A. Farrell, Senior Executive Officer, Marian Donoghue, Senior Staff Officer, R. O'Boyle, Staff Officer.

Mr. Alan O'Reilly, Chief Executive Officer, Food Safety Authority.

Thosnaigh an cruinniú leis an paidir.

The Mayor welcomed all to the Meeting.

**RESOLUTIONS OF SYMPATHY**

1499

The Mayor led the Members in paying tribute to the late Denis Hurney who passed away suddenly on the 16th July, 2013. They acknowledged that Denis had been an excellent and dedicated employee of Galway County Council for the past 38 years and would be sadly missed by his friends and colleagues. The Mayor along with the Members proposed that a vote of Sympathy be extended to Denis's wife Geraldine, his three sons Donnacha, Damien and Pat, his Mother Nonie, and his Aunt Julia who is a former employee of Galway County Council, and the extended Hurney and Forde Families.

The Manager, on behalf of Management and Staff, said she wished to extend sympathy to Geraldine, Donnacha, Damien and Pat and to the extended Hurney and Forde Families on

the sudden death of Denis. She said Denis had been a valued colleague who was highly regarded and would be greatly missed in County Hall.

A vote of Sympathy was also extended to Cllr. Canney on the death of his sister in law and to the O'Brien Family, Loughrea on the death of Agnes O'Brien.

The Mayor adjourned the Meeting for 10 Minutes as a Mark of Respect.

On the resumption of the Meeting, the Mayor took Item 1 on the clár.

**CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS** 1500

The Minutes of the Minutes of Monthly Meeting held 24<sup>th</sup> June, 2013 were approved by the Council and signed by the Mayor on the proposal of Cllr. Maher, seconded by Cllr. McDonagh.

Arising from the Minutes –

Referring to the query raised at the June Meeting relating to the Local Property Tax and the application of same to local authority housing, Mr. Farrell said that it had not yet been decided if the cost for the Local Property Tax on local authority housing would be added to the rent charged and that guidance on same was awaited from the Department.

An Comh O'Cuig requested an update regarding the provision of a footpath at Ros an Mhíl. He also enquired if an opportunity had been lost to include for the installation of ducting to facilitate the provision of high speed broadband in conjunction with the work on the Costello Scheme.

Cllr D. Connolly asked for an update on the Landfill at Killconnell.

With regard to the provision of ducting for broadband during the laying of the Costello Scheme, Mr. Cullen stated that this was not normally done, with Tuam being an exception. He confirmed that no funding was available for the provision of such ducting and that the inclusion of same would delay the scheme. In regard to the Kilconnell Landfill Site he said the situation is that the Operator had gone into receivership, the EPA issued the Licence, and that they have the role and responsibility for this site. He stated the EPA had contacted the Council requesting its assistance and in response services have been engaged by the Council, on behalf of and at the request of the EPA, and that the EPA are recouping the full cost of same to the Council.

Cllr. Cuddy enquired if there was any update on the Safety Audit that was to be carried out at Knockdoe. He also asked if there was any response in relation to the process for the review of speed limits.

Replying Mr. Gilmore said that he would arrange for Mr. Molloy to update Comh. O'Cuig directly on the current position in relation to the provision of the footpath at Ros an Mhíl. He also confirmed that the Safety Audit at Knockdoe had been completed, and that a Schedule of Works was prepared which included lining etc., and that the works will be done as soon as possible. Replying to the query on Speed Limits, he said that no response had been received from the NRA.

**TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – CONSTRUCTION UPGRADE OF EXISTING WATER TREATMENT FACILITY WITH WASH WATER HOLDING TANKS, SITE DEVELOPMENT WORKS AT GORT, CO. GALWAY** **1501**

Report dated the 12th July, 2013 was already circulated to each Member.

On the proposal of Cllr. Willers, seconded by Cllr. Maher, it was agreed to approve the construction upgrade of the existing water treatment facility with wash water holding tanks, site development works at Gort, Co. Galway in accordance with Part VIII of the Planning & Development Regulations 2002 and the report as circulated.

In reply to Cllr. G. Finnerty, Mr. Cullen undertook to consider the provision of some form of hedging to screen the development from adjoining residential properties.

**TO CONSIDER THE MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED ON THE PROPOSED MATERIAL ALTERATIONS TO THE GORT LOCAL AREA PLAN 2013-2019 AS PER SECTION 20 (3) (C) AND (D) OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)** **1502**

The Mayor invited the presentation of the Manager's Report on the submissions received on the Proposed Material Alterations to the Gort Draft Local Area Plan 2013-2019.

Ms. Kavanagh advised the Meeting that the Manager's Report was compiled in accordance with Section 20 of the Planning & Development Act 2000, as amended, and that the Proposed Material Alterations to the Gort Local Area Plan 2013-2019 was on public display from the 7<sup>th</sup> June to the 5<sup>th</sup> of July 2013 and a total of 9 Submissions were received: five from the Prescribed Authorities/Environmental Authorities/Statutory Bodies, one from a landowner and three of which were non applicable submissions whose comments do not apply to the published Material Alterations and therefore cannot be considered at this stage in the LAP process.

Ms Kavanagh said that it was taken that the proposed Material Alterations, and support documents and this Manager's Report have been read and considered by the Members and advised the Members of Section 20 of the Planning & Development Act 2000, the Members should in exercising their function consider the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Ms. Kavanagh advised that under Section 177 of the Local Government Act 2001 which states that if a Member has a pecuniary or other beneficial interest in any aspect before the meeting, he or she shall take no part in the discussion or consideration of the matter and shall refrain from voting and it would be normal for them to leave the meeting for that item.

Ms. Kavanagh advised that a Strategic Environmental Assessment – Environmental Report (SEA-ER), Appropriate Assessment/Natura Impact Report (AA/NIR) and Strategic Flood Risk Assessment (SFRA) were undertaken on the submissions received on the proposed Material Alterations which have informed the responses and recommendations as set out in this Managers Report and are considered to be appropriate and acceptable in terms of these requirements and they also form part of the documentation of the ongoing SEA/AA/SFRA and Local Area Plan (LAP) making processes and supplement and should be read in conjunction with the Gort Draft LAP and associated documents.

Ms. Kavanagh said that Section 3.3 of the Report refers to Miscellaneous Issues and the Appendices of this Report contains a list of Persons/Bodies who made Submissions and including Maps showing the location and extent of Site Specific Material Alterations Submissions.

Ms. Kavanagh advised that the issues raised by Statutory Bodies, Ministerial Bodies and any other National Authority have been dealt with first in the Manager's Report and the remaining submissions are then dealt with in order in which they were received.

**Submission No. 8 is from the Dept of Environment, Community and Local Government (DECLG)(MA2):**

**Submission No 5 –Environmental Protection Agency**

**Submission No 6 – Gerry, Elisha, Gearóid and Fergal Lydon (MA2)**

Ms. Kavanagh advised that the main issue in the Department of Environment, Community and Local Government's submission was the issue of Flood Risk and Material Alteration MA2. She said that this issue was also raised within Submission No 5 (EPA) under Specific Comments on the Proposed Material Alterations and also within Submission No 6 – Gerry, Elisha, Gearóid and Fergal Lydon (MA2). She advised the Meeting that she would outline the main issues within these three Submissions collectively including the Manager's Response and Recommendations.

Ms. Kavanagh said that the Department would be of the view based on the available evidence, that if Material Alteration No. 2 is retained without the preparation of a Stage 2 Flood Risk Assessment and a Justification Test, the Gort LAP could be in conflict with the policy on Flood Risk Management as set out in the *Flood Risk Management Guidelines 2009* and as a consequence would not represent a Plan for proper planning and sustainable development. She said that the Department is of the view that, pending the carrying out of this Flood Risk Assessment, the Proposed Amendment (Material Alteration No.2) to the Gort Local Area Plan is considered premature and it, therefore, requests the planning authority not to proceed with the Material Alteration MA2 and to revert to the provisions of the Draft Local Area Plan namely to retain the lands concerned for 'Recreation and Amenity' zoning. She advised that the Department have said that if the Planning Authority does not comply with this request and the adopted Plan retains development zoning in areas considered to be at risk of flooding without the benefit of further flood risk assessment, the Minister will have to consider what further actions are necessary and the Department will continue to monitor adherence by the Council to the requirements of the Planning and Development Act 2010 and National Guidelines in setting out a sustainable development strategy for Gort.

Ms. Kavanagh outlined that similarly under Submission No 5 from the EPA under Specific Comments on the Proposed Material Alterations, that the EPA in particular note the recommendations in subsection 2.7.3 of the SEA/ER in relation to the proposed rezoning of Open Space/Recreation and Amenity lands to Town Centre/Commercial lands (Material Alteration MA2) in an area identified as being at significant risk of flooding. She said that the EPA also noted that a Justification Test has failed for this proposed re-zoning of lands (MA2), and in light of this the continued use of these lands as Open Space/Recreation and Amenity would seem in keeping with the *Flood Risk Management Guidelines (DEHLG 2009)* and the associated SFRA conclusions. She advised that the EPA also note that in the SEA/ER Section 2.9 – Conclusions, that a Flood Impact Assessment is currently being prepared on behalf of the developers who hold an existing live permission at this location and that it should be ensured that this Flood Impact Assessment is carried out in accordance with the *Flood Risk Management Guidelines 2009* and the EPA also note the SEA recommendation that this Flood Impact Assessment be independently assessed to ensure that the development of the land is appropriate to the risk of flooding identified and that any proposed rezoning be subject to the findings/recommendations of the SFRA.

Ms. Kavanagh advised that Submission No 6 -Gerry, Elisha, Gearóid and Fergal Lydon (MA2) - requested that the Town Centre zoning on the subject lands in the Gort LAP 2006 be continued in the new Gort LAP 2013-2019. She said that this Submission includes a Report prepared by Hydro Environmental Ltd and titled 'Development of Lands at George's Street, Gort, Co. Galway and this submission provided the following Maps:

1. Site Extent adjacent to Gort river, contour levels and location of OPW Flood Embankment; and
2. Lands benefiting from the OPW River Gort Flood Relief Scheme implemented in 1997.

She said also provided were:

1. Highest flood levels in Crows Street and Georges Street, based on anecdotal evidence; and
2. A description of a flood relief scheme implemented by the OPW in 1997.

Ms. Kavanagh outlined that the Submission identifies that the provision of an access road with a flood defence function and development of the higher ground towards the rear of the site would satisfy the Flood Risk Management Planning Guidelines through the Justification test applicable to inner town core sites.

In response to these three Submissions, Ms. Kavanagh said that the land rezoned under Material Alteration MA2 (1.414Ha) is located within Indicative Flood Zone A flooding area as identified in the Stage 2 Strategic Flood Risk Assessment (SFRA) which was carried out as part of the Plan making process and, accordingly, this portion of the submission land was zoned Open Space/Recreation and Amenity (OS) in the Draft Plan, which ensures that uses that are less vulnerable to flooding can be considered in this flood risk area. She said that the remaining portion (0.671Ha) which is located within Flood Zone C as identified in the Stage 2 SFRA remains zoned as Town Centre/Commercial (C1) as per the Draft Plan.

Ms. Kavanagh outlined that the land subject of proposed MA2 land which was rezoned from Open Space Recreation and Amenity (OS) to Town Centre/Commercial is contrary to the *Flood Risk Management Guidelines 2009*, contrary to the recommendation in the previous Manager's Report (on Draft Submissions), contrary to the recommendations in the ongoing Strategic Environmental Assessment Environmental Report (SEA/ER) Appropriate Assessment/Natura Impact Report (AA/NIR), Strategic Flood Risk Assessment (SFRA) and Local Area Plan (LAP) making process and said that the proposal is also contrary to Galway County Council's approach to generally zoning undeveloped lands within Indicative Flood Zone A and B as Open Space, Recreation and Amenity (OS).

Ms. Kavanagh said that a Justification Test has been prepared for Town Centre zoning located within Flood Zone A and B and this Justification Test passed all criteria and was used in conjunction with the Stage 2 SFRA to inform proposed land use zonings of the Gort Draft LAP. She also said that the lands subject to proposed MA2 was subject to a Site Specific Flood Risk Assessment by the Council's SEA Consultants, the conclusion of which states that the portion of the subject land that is located within Indicative Flood Risk Zone A does not pass this Site Justification Test as outlined in the *Flood Risk Management Guidelines for Planning Authorities 2009*.

Ms. Kavanagh advised that the SEA/ER assessment on the Submissions received on the proposed Material Alterations provided a response from an SEA perspective in order to inform this Managers Report and the SEA/ER noted that the location of the subject lands within Flood Zone A flood risk

area, with the proposed zoning under MA2, is contrary to the *'The Planning System and Flood Risk Management Guidelines for Planning Authorities'* which aims to restrict development within areas that have a high potential flooding, therefore the proposed Material Alteration has the potential to cause significant environmental effects.

Ms. Kavanagh advised that the SEA/ER recommends that the proposed Town Centre/Commercial zoning under MA2 is not adopted and that the area is rezoned to Open Space, Recreation and Amenity (OS) as was the case in the Draft Local Area Plan. She said that should any proposed development come forward for this site (including the current extension of duration), the application of the justification test and relevant guidelines and objectives in the draft Plan (including Objective UI 12 Flood Risk Management and Assessment) will apply. She advised that rezoning is not recommended.

Ms. Kavanagh advised that the SEA/ER also states that the report by Consulting Hydrologist, Anthony Cawley of Hydro Environmental Ltd entitled *'Development of Lands at George's Street Gort Co. Galway'* (which was submitted as part of Submission No 6) does not appear to provide evidence and mapping of the flood zones that would allow either the a) the flood zones in the Stage 2 SFRA to be updated or b) Criteria No. 3 from the Justification Test set out in the *Flood Risk Management Guidelines 2009*, to be passed. The SEA/ER also states that there has been sufficient land proposed to be zoned as Town Centre/Commercial in the Plan area and there are also existing lands not within Flood Zone A which could be zoned as Town Centre/Commercial adjacent to existing Town Centre/Commercial lands. It is considered that in order to align with Galway Council's approach to generally zone undeveloped lands within Flood zone A and B as Open Space/Recreation and Amenity, this zoning should be retained.

Ms. Kavanagh advised that the AA/NIR assessment undertaken on the Submissions received provides a response from an AA perspective and in relation to proposed MA2, it is considered that that development at this location may have the potential to impact on flooding issues, water quality and water dependent species such as otter.

Ms. Kavanagh also outlined that the SFRA Consultants carried out an assessment on the Submissions received on the proposed Material Alterations including Submission No 6 and its accompanying Report titled *'Development of Lands at George's Street Gort Co. Galway'* and she said that this documentation submitted by the landowner of proposed MA2 to date does not appear to provide evidence and mapping of the Flood Zones as outlined in the Flood Risk Management Guidelines that would allow either:

1. The zones in the Stage 2 SFRA to be updated; or
2. Criteria No. 3 from the Justification Test set out in the Flood Risk Management Guidelines (DEHLG, 2009) to be passed.

She explained that the view expressed by the Department's submission is not to rezone the land subject to MA to Town Centre/Commercial zoning and to revert to the provisions of the Draft LAP namely to retain the lands concerned as Open Space, Recreation and Amenity, which is also consistent with the Recommendations of the SEA/ER and SFRA assessments.

Ms. Kavanagh outlined that the SFRA also recommends that should the lands be zoned for inappropriate uses, which would not be in compliance with the *Flood Risk Management Guidelines 2009*, then the Plan should provide for the notification (by way of a new Specific Objective) of any future owner or developer that:

*'These lands have been zoned according to the information provided by the landowner and that there is still potential for some of the lands to flood. This does not preclude development once the*



*proposed site design for any proposed development shows that it does not displace flood water thereby exposing lands elsewhere to unacceptable levels of flood risk and satisfies the applicant and the Council that the development itself will not be exposed to unacceptable levels of flood risk'.*

She said that it is also recommended that any future planning application on these lands is required to be accompanied by a site-specific Flood Risk Assessment.

Ms. Kavanagh advised that the Planning Authority having considered all available data concludes that the portion of the Submission land the is subject to MA2 which remains in Flood Zone A should not be rezoned from Open Space Recreation and Amenity (OS) zoning to Town Centre/Commercial zoning. She said that it should be noted that to rezone as proposed by Material Alteration MA2 would not be in compliance with the provisions of *The Planning System and Flood Risk Management – Guidelines for Planning Authorities* (Department of the Environment, Heritage and Local Government and Office of Public Works, 2009) or the recommendations of the ongoing SFRA/SEA-ER/Stage 2 AA which have been undertaken alongside the preparation of the Gort LAP process. She said that it is considered that the report submitted by Submission No 6 was not a site specific flood risk assessment in accordance with the Guidelines 2009, is not complete and fails the Justification test for the portion of land which is subject to proposed MA2. She advised that the Planning Authority also acknowledged that the Department of the Environment has indicated clearly that they require Planning Authorities to adhere to *the Flood Risk Management Guidelines* and will monitor the decisions of Local Authorities in this regard.

Ms. Kavanagh advised the Meeting that the Managers Recommendation (regarding Submissions 8, 5 and 6) is that the land subject of MA2 should revert to Open Space/Recreation & Amenity (OS) zoning, as per the Draft Local Area Plan.

***The Members agreed to accept the recommendation in the Manager's Report.***

#### **Submission No 1 – National Roads Authority**

Ms. Kavanagh advised that the NRA comments on the Material Amendments resulting from their initial Submission is noted and welcomed. The Planning Authority also notes that the Authority have no specific comment to make on the proposed Material Alterations.

Ms. Kavanagh advised that regarding the concerns expressed by the NRA with regard to the Residential and Residential (Phase 2 lands to the east of the town along the N66 at a location where a 100kph speed limit applies, that the Draft Local Area Plan provides for Objective TI 13 – National Road/Motorway Network which refers to protecting the national road network and safeguarding the efficiency, safety capacity and strategic investment in the M18 Gort to Crusheen Motorway, the proposed M18/17 Gort to Tuam PPP Motorway, N18 and the N66 national route and to have regard to the *'Spatial Planning and National Roads Guidelines'*. She said that also under this Objective it is a requirement that proposals for large scale developments will be required, where appropriate, to submit Traffic and Transport Assessments to assess the impact of the proposed development and associated traffic movements on the efficiency, safety and capacity of the national road network.

Ms. Kavanagh said that the Managers Response on the Draft Submissions also stated that Objective TI 13 - National Road/Motorway Network applies to all zoned land and also deals with direct access and that the objective also states that future development should be avoided outside the speed limit zone for the town. She advised that this Manager's reponse also stated that future development proposals will be dealt with at project stage and including any review of existing speed limits.

#### **Miscellaneous**

She referred to the Amended Objective TI 15 - Transport Network Improvements which now highlights specific reference to compliance with Section 2.7 of the DoECLG 'Spatial Planning and National Road Guidelines' in relation to development at national and road interchanges or junctions.

Ms. Kavanagh advised the Meeting that it is considered that the above mentioned Plan Objectives including assessment at individual project level caters adequately for the concerns expressed by the NRA within this Submission and further advised that the SEA/ER assessment on the submissions received on the proposed Material Alterations concurs with the above and there are no AA implications in relation to European Sites and there are no SFRA implications.

Ms. Kavanagh recommended no change to the Draft Plan.

***The Members agreed to accept the recommendation in the Manager's Report on foot of the above Submission.***

**Submission No 5 –Environmental Protection Agency**

Ms. Kavanagh advised that the EPA raised two additional issues in respect of the proposed Material Alterations.

Ms. Kavanagh said that the second issue was 'Assessment of Alternatives'. Ms. Kavanagh advised that the comments from the EPA in relation to the Assessment of Alternatives in the SEA/ER Section 2.8 are noted and recommended no change to the Draft Plan.

***The Members agreed to accept the recommendation in the Manager's Report.***

Ms. Kavanagh said that the EPA raised a third issue regarding the SEA Statement – "Information on the Decision". Ms. Kavanagh said that the EPA requested, following adoption of the Gort Local Area Plan, a copy of the SEA Statement with the required information to be sent to any environmental authority consulted during the SEA process. Ms. Kavanagh said this was noted and said that the SEA comments have been integrated into this Managers Report and monitoring measures will be included in the Final SEA Statement and will draw upon monitoring measures included in the relevant documents such as the SEA for the County Development Plan and Water Framework Directive (WFD) water quality monitoring. She recommended no change to the Draft Plan.

***The Members agreed to accept the recommendation in the Manager's Report.***

**Submission No 3 –Department of Agriculture, Food and the Marine**

Ms. Kavanagh said that this submission states that the Department has no submission or observations to make regarding the Material Alterations to the Draft Plan and, therefore, no change is required.

***The Members agreed to accept the recommendation in the Manager's Report.***

**Submission No 2 –Roscommon County Council**

Ms. Kavanagh said that this submission states that Roscommon County Council has no submission or observations to make regarding the Material Alterations to the Draft Plan and, therefore, no change is required.

***The Members agreed to accept the recommendation in the Manager's Report.***

In reply to Cllr. Willers query, Mr. Kelly said that Roscommon County Council is a Prescribed Body as they are an adjacent county and as such can make a submission/observation on the Galway County Council's Local Area Plans.

**Miscellaneous**

Ms. Kavanagh advised the Meeting that minor corrections and formatting issues that do not materially alter the content of the Draft Plan made be made to the Draft Plan following this Meeting. She said that the Plan, once adopted shall become the Gort Local Area Plan 2013-2019 to reflect the adopted year and the word Draft shall be removed, as appropriate and the Plan comes into effect one month after adoption of the Plan. She advised that Table 1: Capacity of Zoned Lands within the Gort LAP which highlights the Areas of Zoned Land in Section 3.1.1 of the Plan shall be updated once the final decisions are made in relation to the Material Alterations and the updated figures shall be included in the final Plan.

**Non-Applicable Submissions**

Ms. Kavanagh advised that three submissions were received but the comments contained within these Submissions do not apply to the published Material Alterations and cannot be considered at this stage in the Local Area Plan process.

She said that Submissions were received from Noreen Shields (Submission No. 4), Cyril Kelly & Associates on behalf of Sylvie and Margaret Linnane (Submission No. 7) and Noel Nestor (Submission No. 9).

In reply to Cllr. Fahy's query re Submission received from the Sylvie and Margaret Linnane, Mr. Kelly advised that Submissions/Observations with respect only to the proposed Material Alterations that go on public display can be considered and this is outlined on the Advert. He said that three submissions were received that referred to issues that were not on public display. He explained that there has been no change to the process and the same process was undertaken for the review of the Gort Local Area Plan as was taken with all the Local Area Plans.

On the proposal of Cllr. Willers and seconded by Cllr. Maher, it was agreed to accept the recommendations in the Manager's Report and it was agreed to adopt the Gort Local Area Plan 2013-2019, in accordance with the Manager's Report in accordance with Section 13 (b) (iv) of the Planning and Development (Amendment) Act 2010.

It was proposed by Cllr. Hynes, seconded by Cllr. Fahy and agreed 'that the town of Gort, Co. Galway be officially known as Gort Inse Guairé which is the historic name.'

**TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES IN ACCORDANCE WITH SECTION 142 OF THE LOCAL GOVERNMENT ACT, 2001 AND HE LOCAL GOVERNMENT ACT 2001 (SECTION 142 (REGULATIONS 2010)**

1503

Cllr. S. Walsh was not present for the consideration of this item.

On the proposal of Cllr. McDonagh, seconded by Cllr. T. Walsh the attendance of members at the Conferences as circulated was authorized.

**Galway County Council – Lough Derg on the Shannon – Realising our Potential – 28<sup>th</sup> May – Talbot**

**Hotel, Wexford – Fee: Free**

Cllr. Michael Connolly

**Commission for the Economic Development of Rural Areas – The Future of Rural Society:**

**Opportunities for Rural Economic Development – 10<sup>th</sup> June – NUI Maynooth, Co. Kildare – Fee:**

**Free**

Cllr. Michael Connolly

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**Galway County Council – Lough Derg on the Shannon – Realising our Potential – 28<sup>th</sup> May – Talbot Hotel, Wexford – Fee: Free**

Cllr. Michael Connolly

**Commission for the Economic Development of Rural Areas – The Future of Rural Society:**

**Opportunities for Rural Economic Development – 10<sup>th</sup> June – NUI Maynooth, Co. Kildare – Fee:**

**Free**

Cllr. Michael Connolly

**Esperanza Enterprises – Mortgage Resolution Bill 2013 – 28<sup>th</sup> – 29<sup>th</sup> June – Manor West Hotel,  
Tralee, Co. Kerry – Fee: €150**

Cllr. Peter Roche

**Ace Training – Drug & Alcohol Abuse for Local Authorities – 12<sup>th</sup> – 14<sup>th</sup> July – Four Seasons Hotel,  
Carlingford, Co. Louth – Fee: €100**

Cllr. Kevin Ryan

**Solution Marketing – Aiding Local Communities in Job Creation – 19<sup>th</sup> – 20<sup>th</sup> July – Talbot Hotel,  
Wexford – Fee: €120**

Cllr. Michael Connolly

**Esperanza Enterprises – Taxing Goods & Services – 19<sup>th</sup> – 20<sup>th</sup> July – Manor West Hotel, Tralee, Co.  
Kerry – Fee: €0**

Cllr. Peter Roche

**BG Seminarz – Community Development – Arts & Sport – 26<sup>th</sup> – 28<sup>th</sup> July – Quality Hotel, Killarney,  
Co. Kerry – Fee: €150**

Cllr. Seamus Walsh

**MacGill Summer School 2013 – Looking to 2016 – How stands the Republic? – 28<sup>th</sup> July – 2<sup>nd</sup> August  
– Glenties, Co. Donegal – Fee: €150**

Cllr. Michael Connolly

**Merriman Summer School 2013 – Ireland North & South: two societies growing apart? – 14<sup>th</sup> – 18<sup>th</sup>  
August – Lisdoonvarna, Co. Clare – Fee: €35 (one day)**

Comh. Seán Ó Tuairisg

**Parnell Summer School 2013 – Parnell & Kennedy: Lost Leaders – 11<sup>th</sup> – 16<sup>th</sup> August – Avondale  
House, Rathdrum, Co. Wicklow – Fee: €60 (one day)**

Cllr. Michael Connolly

**Ace Training – Benefits of Jobs Creation & Tax Entitlements – 16<sup>th</sup> – 18<sup>th</sup> August – Four Seasons  
Hotel, Carlingford, Co. Louth – Fee: €100**

Comh. Tomás Ó Curráoin, Cllr's. Tom McHugh, Jimmy McClearn  
Gorey, Co. Wexford

**Esperanza Enterprises – Changing Social Relations of Housing Tenure – 30<sup>th</sup> – 31<sup>st</sup> August –  
Westport Plaza Hotel, Westport, Co. Mayo – Fee: €120**

Cllr. Jarlath McDonagh & Growing a Chamber of Commerce in your Community – 12<sup>th</sup> – 14<sup>th</sup> April –  
Four Seasons Hotel, Carlingford, Co. Louth

**Ace Training – Dignity at Work – A guide to bullying and harassment in the workplace – 6<sup>th</sup> – 8<sup>th</sup>  
September – Four Seasons Hotel, Carlingford, Co. Louth – Fee: €100**

Comh. Tomás Ó Curráoin, Cllr's. Tomás Mannion, Kevin Ryan  
Bundoran, Co. Donegal

**TO NOTE THE SUMMARY OF PROCEEDINGS OF CONFERENCES ATTENDED 1504**

On the proposal of Cllr. McDonagh, seconded by Cllr. T. Walsh, the summary of proceedings  
at conferences as circulated was noted.

**Clare Tourist Council – Clare Tourism Conference 'Tourism in Recessionary Times' – 18<sup>th</sup> – 19<sup>th</sup>  
January 2013 – Falls Hotel, Ennistymon, Co. Clare**

Cllr. Michael Maher

**Celtic Conferences – Public Health Seminar on HSE Tobacco Control Policy – 22<sup>nd</sup> – 24<sup>th</sup> February –  
Celtic Ross Hotel, Rosscarbery, Co. Cork**

Cllr. Michael Maher

**Esperanza Enterprises – Local Government supporting Volunteerism – 8<sup>th</sup> – 9<sup>th</sup> March – Manor  
West Hotel, Tralee, Co. Kerry**

Cllr. Peter Roche

**Celtic Conferences – Drug & Alcohol Abuse Seminar – 22<sup>nd</sup> – 24<sup>th</sup> March – Celtic Ross Hotel,  
Rosscarbery, Co. Cork**

Comh. Tomás Ó Curráoin, Cllr. Michael Maher

**Ace Training – Tax Entitlements Seminar – 29<sup>th</sup> – 31<sup>st</sup> March – Four Seasons Hotel, Carlingford, Co.  
Louth**

Cllr. Michael Maher

**Wexford County Council – LAMA Spring Seminar 2013 – 5<sup>th</sup> – 6<sup>th</sup> April – Ashdown Park Hotel,  
Gorey, Co. Wexford**

Cllr.'s Michael Maher, Eileen Mannion, Peter Roche

**Ace Training – Starting & Growing a Chamber of Commerce in your Community – 12<sup>th</sup> – 14<sup>th</sup> April –  
Four Seasons Hotel, Carlingford, Co. Louth**

Comh. Tomás Ó Curráoin

**Superior Training – Local Government & the Consumer – 19<sup>th</sup> – 20<sup>th</sup> April – Holyrood Hotel,  
Bundoran, Co. Donegal**

Comh. Tomás Ó Curráoin

**TGR Seminars – Local Property Tax: Logistics, Implications & Consequences for Irish Consumers –  
19<sup>th</sup> – 21<sup>st</sup> April – Mullingar Park Hotel, Mullingar, Co. Westmeath**

Cllr. Peter Roche

**Celtic Conferences – Meeting Management – Principles & Best Practice – 26<sup>th</sup> – 28<sup>th</sup> April – Celtic  
Ross Hotel, Rosscarbery, Co. Cork**

Comh. Tomás Ó Curráoin, Cllr. Michael Maher

**Ace Training – HSE Tobacco Control Policy – 10<sup>th</sup> – 12<sup>th</sup> May – Four Seasons Hotel, Carlingford, Co.  
Louth**

Cllr. Michael Maher

**Esperanza Enterprises – Dealing with Unfinished Housing Estates – 17<sup>th</sup> – 18<sup>th</sup> May – Manor West  
Hotel, Tralee, Co. Kerry**

Comh. Tomás Ó Curráoin, Cllr.'s Jarlath McDonagh, Tom McHugh, Peter Roche, Tiarnan Walsh

**Celtic Conferences – West Cork Tourism Seminar – 24<sup>th</sup> – 26<sup>th</sup> May – Celtic Ross Hotel, Rosscarbery,  
Co. Cork**

Comh. Tomás Ó Curráoin

**Ace Training – European Legislation & Local Authorities – 7<sup>th</sup> – 9<sup>th</sup> June – Four Seasons Hotel,  
Carlingford, Co. Louth**

Cllr. Michael Maher

**Kadenza Consultancies – Preparing for new National & Regional Strategies –14<sup>th</sup> – 16<sup>th</sup> June – Silver Tassie Hotel, Letterkenny, Co. Donegal**

Cllr. Pat Hynes

**Border, Midland & Western and Southern & Eastern Regional Assemblies Joint Annual Conference – Contribution of Cohesion and Urban Policy to Economic Recovery – 19<sup>th</sup> June – Royal Hospital Kilmainham, Dublin**

Comh. Seán Ó Tuairisg, Cllr.'s Mary Hoade, Tom McHugh, Tim Broderick

**TO RECEIVE A PRESENTATION ON FOOD TRACEABILITY, QUALITY & LABELLING – GALWAY COUNTY COUNCIL & FOOD SAFETY AUTHORITY OF IRELAND 1505**

The Mayor introduced Ms. Rita Gately, who gave a brief outline of the work carried out locally by the Veterinary Services Unit

She then introduced Professor Alan Reilly, Chief Executive, Food Safety Authority of Ireland. Mr. Reilly proceeded by means of a Power Point presentation to brief the Members on Food Safety – Challenges in the Global Market. He also covered the following issues:-

- Consumer Confidence – Communication is a challenge
- Protection of Irish Consumers – Consumer Protection Agency
- Supporting and controlling the Food Industry
- Regulatory Control – Monitoring
- Authenticity Survey – including that of Beef Burgers – and its findings
- Security
- Global Food Supply Chain – Food Safety Challenges
- Global Food Scare – Hepatitis A
- Consumer Foods – Protecting Brands
- Horsemeat Scandal 2013 – Media comments etc.
- EU Five Point Plan.

The Mayor thanked Ms. Rita Gately for her talk on what happens locally in the Veterinary Unit, and also thanked Professor Reilly for a most informative talk, and said that it had been very reassuring and invited queries/clarification from Members.

The members raised the following points:

- The level of inspections on the farming sector compared to the food sector.
- Unfair competition from the farming/food sector outside the EU operating in a less regulated environment and the threats posed by same for public health.
- The delay in identifying the issue and a request for assurances that the issue has been fully resolved and confidence restored in the meat/food industry.



- The price received by the farming sector for a high quality product and the relationship between low cost/below cost selling of meat products and the quality and origin of same.
- The need to prosecute those involved, irrespective of the cost or outcome, in order to deter future incidents and reassure the consumer.
- The labeling of food and the availability and labeling of genetically modified food.
- The increase in the number of horses being slaughtered and the link between same and the scandal.
- Recognition of the leadership role of the FSA in identifying the issue and on tackling same in an open and transparent manner.
- Request for reassurance that something of the same nature could not occur in the future.
- Whether the issue was identified through a tip off to the FSA.
- Need for a cull of horses to control numbers and address issue.

Mr. Reilly pointed out that the responsibility of the FSAI starts at the farm gate. He pointed out that Irish manufacturers were buying cheap beef and that that none of this meat was processed in Ireland, it came from the UK and Poland. He said if chicken is Irish it should be labeled and it should say where it came from. He said that the FSAI intended to do a very similar study on chicken, looking at the country of origin. He confirmed that anybody using genetically modified products have to be approved by the European Safety Authority.

He said that all the information held by the Food Safety Authority has been made available to the Gardai and Europol and other authorities but that a successful prosecution may be difficult and confirmed that the issue was not identified through a 'tip off'

He said that systems were now in place, penalties will be increased and would be introduced at European level on back of work that the Food Safety Authority had done. The Mayor thanked both Mr. Reilly and Ms. Gately for their presentations.

**TO RECEIVE A PRESENTATION ON THE PAVEMENT SURFACE EVALUATION AND RATING OF LOCAL ROADS** **1506**

It was proposed by Cllr. McHugh, seconded by Cllr. Maher and agreed to defer this item to the September Meeting of Council.

**TO RECEIVE AN UPDATE ON THE PROGRAMME OF FLOOD MITIGATION WORKS AND SCHEMES** **1507**

It was proposed by Cllr. McHugh, seconded by Cllr. Maher and agreed to defer this item to the September Meeting of Council.

**SUSPENSION OF STANDING ORDERS** **1508**

It was proposed by Cllr. Noone, seconded by Comh. O'Tuairisg and agreed to Suspend Standing Orders to allow the Meeting continue after 6.00 pm

**TO RECEIVE A PRESENTATION ON THE PROPOSED SOCIO-ECONOMIC COMMITTEE (SEC)**

1509

Report dated the 22<sup>nd</sup> July, 2013 was already circulated to each Member.

Mr. Cullen briefed the meeting on the establishment of Socio-Economic Committees (SECs) advising that it was a key element of the reform agenda for local government. He advised that the Socio-Economic Committee will be formed as partnerships of socio-economic interests and will comprise representatives of local authorities and other State agencies, local and community interest, civic society and economic and social partners. He advised that over time it was proposed that SECs will be vested with responsibility for the co-ordination, governance, planning and oversight of all publicly funded local and community development interventions at local level.

He outlined that the aim is to bring greater co-ordination on an area-basis to publicly-funded programmes and to oversee administration efficiencies across the local development landscape, while drawing on the capacity of local government and the experience, perspective and expertise of local and community actors in the relevant local authority area in programme delivery.

He confirmed that as a first step towards the introduction of SEC's, front runner SEC's will be established in 10 local authority areas, of which Galway County Council is one. The purpose of the front runner is to explore and trial approaches to SEC operation and capture learning over a six month period to inform the roll out of the SEC across all local authorities in 2014. He advised that the programme related activities will be limited during the front-runner phase. He further advised that a 5 year City/County Local and Community Plan encompassing all State funded local and community development interventions, will be developed for each city/county area by the Socio-Economic Committees.

Mr. Cullen concluded by advising that over the next 8 weeks the Council will liaise with the sectors and partners to be represented on the SEC with a view to determining the composition and membership and that it was hoped to have the membership finalised before the end of September with a view to having the first meeting of the SEC in October 2013. Mr. Cullen also noted that in due course the SEC will replace the County Development Board and arrangements for this transition have to be finalised.

The following comments were articulated by the Members:

- The absence of resources available directly to the SEC for allocation by the SEC to support the achievement of its objectives.
- The transition from the CDB to the SEC not representing real and meaningful reform thereby representing a further lost opportunity for real reform.
- The impact of the additional work associated with the SEC on existing core services in the absence of additional staff resources and the lifting/relaxation of the embargo on recruitment.
- The unique position of the Islands and the need to allow for same and recongise the role and value of a coordinated approach achieved through the work of Comhar na nOileann.

- Impact on current staff of local development companies and a questioning of the need to change a system that is well run and delivering.
- The need for the Members to have the confidence to take ownership of the process and to recognise the opportunities presented for local authorities to actively engage and make a greater contribution in the area of socio economic development as the outcome of the process may determine the future role and direction of local government.
- Welcome for the enhanced role for local authorities and the opportunity for engagement in the decision making process at a strategic level in relation to investment under the various projects managed and delivered through the local development companies.

In reply, Mr. Cullen advised that he was not aware of any proposal for the dissolution of Local Development Companies and that the purpose of the Socio-Economic Committee was to facilitate closer alignment and oversight of public funding. He stated that the development of a Local Community Plan and Economic Development Plan would ensure greater coordination and accountability, avoid duplication of services and deliver greater efficiencies while allowing for an integrated and targeted approach.

The County Manager in reply to comments on the absence of a reference to the Socio Economic Committee in Putting People First stated that it formed a substantial element of Putting People First and was clearly flagged in the reform proposals. She advised that the input of the SEC in the revised operational and governance arrangements for the Rural Transport Programme was a clear indication that the SEC was being recognised by other Government Departments in terms of playing a critical and important role in planning and coordination at a local level.

**TO CONSIDER AND APPROVE THE DRAFT ESTATE MANAGEMENT STRATEGY FOR GALWAY COUNTY COUNCIL LOCAL AUTHORITY ESTATES – PRESENTATION BY ALAN FARRELL, ACTING DIRECTOR OF HOUSING SERVICES** **1510**

Report dated the 18<sup>th</sup> July 2013 by Cllr. T. Walsh, Chairperson Housing & Emergency Services SPC and the Galway County Council Draft Estate Management Strategy 2013 were already circulated.

Cllr. T. Walsh presented the report and concluded the presentation of same by acknowledging the input of the staff of the Housing Unit and the members of the Strategy Policy Committee in developing the draft strategy as presented to Council.

The Members welcomed the draft strategy as presented recognizing that anti social behaviour was an issue in estates due to the actions of a small minority of tenants that impacts negatively on other residents and their quality of life. They recognised the responsibility placed on the local authority to adequately and appropriately address instances of anti social behavior in a timely and proportionate manner.

The Members highlighted the need to address vacant houses and to ensure the timely reallocation of housing units as they become vacant to ensure they are not subject to

vandalism and the focus for anti social behavior resulting in further difficulties in the allocation of the vacant dwellings. They requested the inclusion of targets for the reallocation of vacant housing units to address same.

The challenge presented by the responsibility placed on the local authority to meet the housing needs of the homeless while also needing to avail of the option to evict tenants as a last resort to address anti-social behaviour, thereby making them homeless was recognized. The adequacy of staff resources dedicated to estate management and tenancy support was questioned given the size of the county and level of housing stock, with comparisons made to other local authorities.

The Members also requested that a copy of the tenancy agreement and tenancy pack be circulated to them in order that they were better informed of the tenant's obligations.

Mr. Farrell in reply detailed the distinction between the Estate Management Strategy and the Anti-Social Behaviour Strategy, as previously adopted by Council in 2012. He confirmed that measures were being introduced to allow for the turnaround of vacant housing units in a more timely manner and confirmed that funding was in place to allow for the roll out of CCTV in a number of estates in 2013.

It was proposed by Cllr. T. Walsh, seconded by Cllr. McHugh to approve the Draft Estate Management Strategy 2013 as circulated.

It was further proposed by Cllr. Feeney, seconded by Cllr. Canney and agreed that the Housing & Emergency Services SPC consider putting in place a specific timeframe for the reallocation of local authority houses, in the absence of very major remedial works being required on the property, with a suggested period of 2 weeks from the surrender date of the house and a further 2 weeks be allowed for acceptance by the new tenant.

#### **MANAGER'S BUSINESS & CORRESPONDENCE**

1511

The County Manager advised that the official opening of the Oranmore Station would take place on Monday, 29th July 2013 by the Minister for Transport, Tourism and Sport, noting that the project was facilitated by the Council through the purchase of lands and the development of the access road and parking facilities.

The following items of correspondence which were circulated at the meeting were noted:

- Motion Adopted by Dundalk Town Council dated the 18<sup>th</sup> June, 2013 calling on the Government to implement the National Epilepsy Care Programme in full.
- Motion Adopted by Dundalk Town Council, dated the 20<sup>th</sup> June, 2013 calling for the expedition of the passage through Dáil Éireann of the Poor Relief Ireland (Amendment) Bill 2013 in an effort to boost commerce and regeneration. That this call is made upon the Ministers for Finance: for Public Expenditure and Reform, for Jobs Enterprise and Innovation: and for Environment, Community & Local Government.
- Correspondence from Kerry County Council dated the 8<sup>th</sup> July, 2013 regarding a resolution passed that the Minister for Education and Skills be requested to consider

the abolition of SUSI and the return of the administration of the Higher Education Grant Scheme to Education and Training Boards and Local Authorities.

- Correspondence from Monaghan Town Council dated the 10<sup>th</sup> July, 2013 regarding motions adopted (a) that Monaghan Town Council call on the Minister for Education and Skills, Ruairi Quinn, T.D. to reverse his decision relation to the reduction in support hours to children with special educational needs (b) that the Minister would look at EU Directive Regulation 56, Sub-Section 7 of the European Communities Regulations 2007 to insert a clause that any company that has gone into receivership or liquidation cannot tender for public contracts for a period of 5 years under a new company name when that new company is relying on technical or professional abilities of the old company.
- Correspondence from Limerick City & County Council dated the 12<sup>th</sup> July, 2013 regarding a resolution adopted calling on the Minister for Education & Skills, Ruairi Quinn, TD, and the Department of Education to allow some choice based on the old second level school catchment areas and tradition in assessing school transport eligibility.
- Correspondence from Monaghan County Council dated the 16<sup>th</sup> July, 2013 regarding a resolution adopted calling on the Minister for Social Protection to increase all Old Age Pensions to match the inflation rate over the last three years.
- Correspondence from Carrickmacross Town Council dated the 16<sup>th</sup> July, 2013 regarding a resolution adopted agreeing to write to Congressman John Boehner, Speaker in the US House of Representatives commending legislation due to come before the US House of Representatives which has the potential to transform the situation for the estimated 50,000 – 70,000 undocumented Irish people in the United States.
- Correspondence from Waterford City Council dated the 18<sup>th</sup> July, 2013 regarding a motion adopted commending the 10 former workers from Waterford Crystal in respect of their pensions, welcomes the decision of the European Court of Justice and calling on the Government to compensate all former workers of Waterford Crystal and to transpose into Irish law the 2008 EU Directive and ensure it gives protection to all Irish workers and their pensions in the future. That Waterford City Council recognizes that the trafficking, exploitation and abuse of women and girls is taking place in Waterford and throughout the country as a direct result of prostitution, that the Council believes human rights abuses can be ended by targeting the demand for prostitution by introducing laws which make it an offence to pay for sex and is seeking such laws, and the council convey its views to the Minister for Justice.
- Correspondence from The Department of Justice dated the 12<sup>th</sup> July, 2013 in reply to the Council's letter regarding the Local Property Tax.
- Correspondence from the Vatican dated the 5<sup>th</sup> July, 2013 thanking Galway County Council for the DVD and messages of good wishes sent to Pope Frances.
- Correspondence dated the 2<sup>nd</sup> July, 2013 from the Department of Health thanking the members for their letter concerning water fluoridation.

#### **MAYOR'S BUSINESS**

**1512**

Following discussion on the restrictions imposed on turf cutting on certain bogs the following resolutions were unanimously adopted:

It was proposed by Cllr. D. Connolly, seconded by Comh. O’Cuaig and agreed ‘that Galway County Council recognize the right of domestic turf cutters to cut turf for their families on Galway bogs and call on the Government to immediately bring forward measures to end the conflict where domestic turf cutters are being hampered from harvesting their winter fuel and in light of recent developments in the courts end the criminalisation of turf cutters.’

It was proposed by Cllr. Feeney, seconded by Cllr. McClearn and agreed that ‘this Council calls on Mr. Jimmy Deenihan, Minister for Arts, Heritage and the Gaeltacht to

- (a) fast-track the solution to the present turf-cutting issue by providing resources to compensate bog owners, to re-locate turf cutters to bogs which urgently need to be purchased and
- (b) to address the designation of NHA bogs to allow flexibility for relocation and
- (c) to de-designate bogs in those areas where there are no alternative bogs available for cutting and
- (d) to fast track the national study on SAC bogs which may allow flexibility on the issue.’

The County Manager in reply to comments from Comh. O’Cuaig confirmed that the Council were continuing to work with both the Department of Environment, Community & Local Government and the Department of Arts, Heritage & the Gaeltacht with a view to identifying an outcome to address the outstanding balance of €8.5 due to the Council from the development of piers on the Aran Islands on behalf of the Department of Arts, Heritage & the Gaeltacht.

#### **NOTICES OF MOTION**

##### **NOTICE OF MOTION NO. 12 – CLLR. M. FAHY**

**1513**

*The following reply was given:-*

“A proposal for funding to carry out the required safety measures under the Low Cost Remedial Measures Programme for 2014 will be prepared and submitted to the Department of Transport, Tourism & Sport.”

##### **NOTICE OF MOTION NO. 13 – CLLR. M. FAHY**

**1514**

*The following reply was given:-*

“Galway County Council have no plans in place for funding at its disposal to install digital warning signage on the N66 approaches to the Seven Eye Bridge at Kilchreest. The site will be considered for possible National Road Safety Improvements Measures in consultation with the NRA Road Safety Engineer should funding for such measures become available in the future.”

##### **NOTICE OF MOTION NO. 14 – CLLR. M. FAHY**

**1515**

*The following reply was given:-*

"The Council is currently in the process of taking in charge the Gortanumera Scheme and will complete the process as quickly as possible once the necessary surveys and water audits are completed."

**NOTICE OF MOTION NO. 15 – CLLR. J. CUDDY 1516**

*The following reply was given:-*

"No specific funding has been allocated for the provision of new footpaths in the Oranmore Area in 2013. There is no firm indication that such funding will be forthcoming in the near future. The 535m of footpath required from the village of Clarinbridge to Parklands Estate will be considered in the context of footpath requirements for the Oranmore Electoral Area if funding becomes available."

**NOTICE OF MOTION NO. 16 – CLLR. J. CUDDY 1517**

*The following reply was given:-*

"Sight distances at junctions and entrances are provided in accordance with appropriate design standards. They are generally designed to be site specific. If there are individual locations of concern they should be notified to the Council and we will deal with those appropriately."

**NOTICE OF MOTION NO. 17 – CLLR. J. CUDDY 1518**

*The following reply was given:-*

"Noted."

Submitted, Approved + Signed

Lia Carroll

23RD SEPTEMBER 2013

DATE

**CHOMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON MONDAY 24<sup>th</sup> JUNE, 2013 @ 2.00 pm**

**CATHAOIRLEACH:**

Cllr. L. Carroll, Mayor of the County of Galway

**I LATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, S. Canney, D. Connolly, M. Connolly, Comh. S. Ó Cuaig, T. Ó Curraoin, Cllrs. J. Cuddy, S. Cunniffe, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, Cllrs. M. Maher, E. Mannion, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Noone, P. Roche, K. Ryan, Comh S. Ó Tuairisg, Cllrs. S. Walsh T. Walsh, T. Welby & B. Willers.

**Oifigigh:**  
Ms. M. Moloney, County Manager; Messrs. F. Gilmore,

E. Cummins, Directors of Services; G. Mullarkey, Head of Finance; M. Lavelle, A/Director of Services, M. Owens, County Secretary & Meetings Administrator; E. Molloy & L. Gavin, Senior Engineers R. O'Boyle, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

**RESOLUTIONS OF SYMPATHY**

**1473**

A vote of sympathy was proposed by Cllr. Fahy, seconded by Comh. Ó'Curraoin and agreed to the Murray family on the death of Gerry Murray.

A vote of sympathy was proposed by Cllr. McClearn, seconded by Cllr. G. Finnerty and agreed to the Haverty Family, Kilimor on the death of Mrs. Rose Harverty.

A vote of sympathy was proposed by Cllr. Hoade, seconded by Cllr. McHugh and agreed to Breda McDermott on the death of her mother Mrs. Mary Crowe.

A resolution of sympathy was also extended to the following:

- Raymond Canavan, St. Joseph's Place, Ballinasloe.
- Mrs. Patsy Uí Bhrádaigh, Galway Road, Roscommon.



- Paul Quinn, Cloonacallis, Woodlawn, Ballinasloe.
- Joe & Bernie Fehilly, c/o Fehilly Florists, Vicar Street, Tuam.
- Brian Crisham, Cloonfush, Tuam.
- Mrs. M. Daniels, Droim na Cille, Caheronaun, Loughrea.
- Seamus Crowe, Kilchreest, Loughrea.
- Richard Broderick, Coscorrig, Loughrea.
- Joe Keane, Coorheen, Kilnadeema, Loughrea.
- Mrs. C. McCaffrey, Earlsparck, Loughrea.
- Colm Beatty, Lettermore.
- Pauline Duggan, Lakeview, Claregalway.
- Mrs. Martha Smyth, Killaspic, Kilchreest, Loughrea.
- Mrs. Lily Murray, Castleboy, Kilchreest, Loughrea.
- Paddy Donohoe, Ballyturn, Gort.
- Pat McDonagh, Billamore, Oughterard.
- Gary Sullivan, Doughtywell, Cornamona.
- Mrs. Sally Gannon, Clonbur.
- Maidh C. Uí Chonghaile, Sailechúna, An Spidéal.

**CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS**

1474

The Minutes of the Minutes of Monthly Meeting held 27<sup>th</sup> May 2013 were approved by the Council and signed by the Mayor on the proposal of Cllr. McDonagh, seconded by Cllr. McHugh

Arising from the Minutes and in reply to Cllr. McHugh, Mr. Cummins confirmed that it was intended to increase the differential rent on social housing to reflect the additional costs incurred by the local authority in paying the Local Property Tax in respect of the social housing stock.

In reply to comments from An Comh O'Tuairisg in relation to the question of Fluoridation the Mayor indicated that he would allow for same to be raised under Mayor's Business.

The Minutes of the Annual Meeting held on the 14<sup>th</sup> June, 2013 were approved by the Council and signed by the Mayor on the proposal of Cllr. McClearn, seconded by Cllr. Maher.

**REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION**

1475

The Report of the Environment & Water Services Strategic Policy Committee held on 30<sup>th</sup> January 2013 was approved on the proposal of Cllr. Broderick, seconded by Cllr. M. Finnerty.

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.0833 HECTARES AT MAGHERAMORE, KILLIMOR, CO. GALWAY** 1476

Statutory Notice dated 11<sup>th</sup> June, 2013 and Report dated the 20<sup>th</sup> June, 2013 were previously circulated in accordance with the relevant statutory timeframe.

On the proposal of Cllr. McClearn, seconded by Cllr. Maher, it was agreed that having complied with the relevant statutory requirements, to dispose of 0.0833 hectares of land

at Magheramore, Killimor, Co. Galway to Killimor GAA Club in accordance with the terms of the Statutory Notice dated 11th June 2013.

**TO CONSIDER THE PROPOSED DEVELOPMENT AND THE MANAGER'S REPORT THEREON IN ACCORDANCE WITH SECTION 179(3) OF THE PLANNING & DEVELOPMENT ACT, 2000, PART VIII OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 AND ARTICLES 17 TO 19 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2006 IN RESPECT OF OUGHTERARD COURTHOUSE, OUGHTERARD, CO. GALWAY**

1477

Report dated the 17th June was already circulated to each Member.

Cllr. Welby advised of a potential beneficial interest in the item to be considered arising from his involvement with the Oughterard Courthouse Restoration Committee and having advised of same withdrew from the Council Chamber for the duration of the consideration of the item.

On the proposal of Cllr. E. Mannion, seconded by Cllr. T. Broderick, it was agreed to approve the Change of Use of the former Oughterard Courthouse, Main Street, Oughterard in accordance with Section 179(3) of the Planning & Development Act, 2000, Part VIII of the Planning & Development Regulations 2002 and Article 17 to 19 of the Planning and Development Regulations, 2006 in respect of Oughterard Courthouse, Oughterard, Co. Galway.

**TO CONSIDER AND IF DEEMED APPROPRIATE APPROVE A CONTRIBUTION TOWARDS THE OPERATION OF IRISH WATER SAFETY IN ACCORDANCE WITH SECTION 67 OF THE LOCAL GOVERNMENT ACT 2001**

1478

Report dated the 18th June, 2013 was already circulated to each Member.

On the proposal of Cllr. Maher, seconded by Cllr. McHugh, it was agreed to approve a contribution of €6,000 towards the Operation of the Irish Water Safety in accordance with Section 67 of the Local Government Act, 2001.

**TO CONSIDER AND IF DEEMED APPROPRIATE ADOPT THE ANNUAL REPORT 2012 IN ACCORDANCE WITH SECTION 221(1)(A) OF THE LOCAL GOVERNMENT ACT 2001**

1479

The Annual Report 2012 for County Galway Local Authorities was previously circulated to each Member.

On the proposal of Cllr. Hoade, seconded by Cllr. Maher, it was agreed to adopt the Annual Report 2012 in accordance with Section 221(1)(a) of the Local Government Act, 2001.

Comh. Seán Ó Tuairín

In reply to comments from Cllr. McHugh in relation to the need for the local authority to support economic development through a review of charges including commercial rates and in particular through a review of development contributions, to encourage

development in response to a lack of suitable housing to meet the demands of the rental market and certain types of commercial units, the County Manager confirmed that as previously advised at an earlier meeting that a review of the development contribution scheme was being undertaken and that submissions had been invited.

Comh. Seán Ó Tuairisg, Cllr. Dermot Connolly

In reply to comments from Cllr. Canney questioning the need for development contributions in the context of the local property tax funding the services in the County, the County Manager advised that the local property tax was intended as source of revenue funding and that the development contributions were to support necessary capital investment in strategic infrastructure for the continued sustainable development of the County.

The County Manager confirmed in reply to Cllr. Canney that the adoption/amendment of the development contribution scheme was a reserved function.

Comh. Seán Ó Tuairisg, Cllr.'s Mary Hoade, Bridie Willers, Tom Broderick

**TO EXAMINE AND CONSIDER THE CLARE RIVER (CLAREGALWAY) DRAINAGE SCHEME IN ACCORDANCE WITH SECTION 5(2)(B) OF THE ARTERIAL DRAINAGE ACT, 1945 AS AMENDED**, Co. Cork 1480

It was proposed by Cllr. Cuddy, seconded by Cllr. Broderick and agreed to suspend Standing Orders to allow for the deferral of the consideration of this item until after consideration of Items 8 & 9 on the Clár.

**TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES IN ACCORDANCE WITH SECTION 142 OF THE LOCAL GOVERNMENT ACT 2001 AND THE LOCAL GOVERNMENT ACT 2001 (SECTION 142) REGULATIONS 2010** 1481

Cllr. S. Walsh was not present in the Council Chamber for the duration of the consideration of this item.

On the proposal of Cllr. O'Curraoin, seconded by Cllr. T. Walsh the attendance of members at the Conferences as circulated was authorised

**Esperanza Enterprises – Dealing with Unfinished Housing Estates – 17<sup>th</sup> – 18<sup>th</sup> April – Manor West Hotel, Tralee, Co. Kerry – Fee: €150**

Comh. Tomás Ó Curráoin, Cllr.'s Jarlath McDonagh, Tom McHugh, Peter Roche, Tiarnan Walsh

**Nuclear Free Local Authorities Ireland – Spring Seminar – Key Energy Issues Affecting Ireland – 7<sup>th</sup> June – Fingal County Hall, Swords, Co. Dublin – Fee: Free**

Comh. Seán Ó Tuairisg

**Commission for the Economic Development of Rural Areas – The Future of Rural Society: Opportunities for Rural Economic Development – 10<sup>th</sup> June – NUI Maynooth, Co. Kildare – Fee: Free**

Comh. Seán Ó Tuairisg, Cllr. Dermot Connolly

**Kadenza Consultancies – Preparing for new National & Regional Strategies –14<sup>th</sup> – 16<sup>th</sup> June – Silver Tassie Hotel, Letterkenny, Co. Donegal – Fee: €145**

Cllr. Pat Hynes

**Border, Midland & Western and Southern & Eastern Regional Assemblies Joint Annual Conference – Contribution of Cohesion and Urban Policy to Economic Recovery – 19<sup>th</sup> June – Royal Hospital Kilmainham, Dublin**

Comh. Seán Ó Tuairisg, Cllr.'s Mary Hoade, Bridie Willers, Tom McHugh, Tim Broderick

**Celtic Conferences – European Movement Ireland – 28<sup>th</sup> – 30<sup>th</sup> June – Celtic Ross Hotel, Rosscarbery, Co. Cork**

Comh. Tomás Ó Curráoin

**TO NOTE THE SUMMARY OF PROCEEDINGS OF CONFERENCES ATTENDED IN ACCORDANCE WITH SECTION 142(5)(F) OF THE LOCAL GOVERNMENT ACT 2001**

1482

Cllr. S. Walsh was not present in the Council Chamber for the duration of the consideration of this item.

On the proposal of Cllr McHugh, seconded by Cllr T. Walsh, the summary of proceedings at conferences as circulated was noted

**Dundalk Chamber – Eures Cross Border Partnership Tourism Conference 2013 – Sustainable Tourism – Practical Ideas for your business –24<sup>th</sup> April – Ballymascanlon House Hotel, Dundalk, Co. Louth**

Cllr.'s Dermot Connolly, Jimmy McClearn

**Solution Marketing – Local Tourism & the Councillor – 10<sup>th</sup> – 11<sup>th</sup> May – Talbot Hotel, Wexford**

Cllr. Jimmy McClearn

**Nuclear Free Local Authorities Ireland – Spring Seminar – Key Energy Issues Affecting Ireland – 7<sup>th</sup> June – Fingal County Hall, Swords, Co. Dublin**

Comh. Seán Ó Tuairisg

**Commission for the Economic Development of Rural Areas – The Future of Rural Society: Opportunities for Rural Economic Development – 10<sup>th</sup> June – NUI Maynooth, Co. Kildare**

Comh. Seán Ó Tuairisg, Cllr. Dermot Connolly

**TO RECEIVE A PRESENTATION ON KEEPING COMMUNITIES SAFE**

**1483**

The Manager referred to the National Directorate for Fire and Emergency Management – Keeping Communities Safe – a Framework for Fire Safety in Ireland which had been produced by the Department of the Environment, Community and Local Government and invited Mr. Cummins to make a presentation on same.

Mr. Cummins advised that Keeping Communities Safe was a major policy document, similar to the framework for the Major Emergency Plan, and referred to the two Circulars Fire 02/03 of the 17th May, 2013 and Circular Fire 03/03 of the 31st May, 2013 in relation to the policy initiative and the implementation of same.

Mr. Cummins proceeded by means of a PowerPoint presentation to brief the Members on the policy covering the following areas in detail:

- Main Aspects of “Keeping Communities Safe”
- Fire Services Roles for Society.
- Review of Fire Service Operational Response.
- Reform of Service Delivery structure
- Implications for Galway
- Implementation and Time Scales.

He also detailed the next steps for the Elected Members in the context of the existing Section 85 Agreement with Galway City Council relating to the Fire Service and the need to review and consider a new Section 85 Agreement to make Galway County Council the Lead Authority for the Fire & Civil Protection Shared Service for Galway City and County Councils.

He outlined the implications for new/existing Service Units, Area Risk Categorisation, Risk Categorisation and Response Table for Galway City Brigade. He referenced the Risk Categorisation and Response Table indicated that on a cursory basis that Galway City will at some point in the future have an Area Risk Designation of A3/B1. He stated that in accordance with the Table and when the city is designated A2BB1 Two (2) Full-Time Pumps will be required which will have major staffing and financial implications. He concluded the presentation by detailing timescale for implementation in 2013, 2014 and 2015.

The Mayor was joined by the Members in thanking Mr. Cummins for his comprehensive presentation and in paying tribute to the staff of the Galway Fire Service for their dedication and commitment to their duties.

The Members in their commentary on the presentation raised a number of issues and questions as follows:

- He confirmed that the work being undertaken by the Review Group in relation to South
- The need to retain existing resources and stations as a baseline in the review process.
  - The need to recognize the role of the Fire Service beyond fire including road traffic accidents, flooding and water safety.
  - The need for a station in South Conamara and a timeframe for a decision relating to same.
  - The adequacy of the budgetary allocation to support an extensive training programme in the Fire Service.
  - The need for clarity on the role of the external validation group in reviewing the draft Section 26 Plan.
  - Details of the current programme for fire prevention, protection and awareness.
  - The timeline for undertaking and completing the risk categorization process.
  - Concern that rural areas will not retain a timely service from a centralized service model.
  - Clarity on whether the review is restricted to reviewing current fire station areas or whether it will include a detailed review of areas with no fire stations.
  - The policy on fire charges, including cancellation of call outs, the billing process and the billing approach in terms of turn outs by multiple brigades.
  - Concern in relation to the extent to which population will influence the decision making process for location of fire stations.
  - Engagement with NPWS in relation to management of lands with environmental designation, in particular, in the context of gorse fires and the failure to appropriately manage such lands.
  - Update on plans for the development of a new stations, including Tuam and Galway City.
  - Financial implications for the Council of the revised service model required to serve Galway City.
  - The need for an appropriate allocation of responsibility and liability between the employer and the employee in the context of the provision of appropriate training, personal protective equipment etc and the need to apply common sense.

In reply Mr. Cummins advised that the concept of centralization did not apply to Galway County Council as the fire service in Galway City & County was already operated and managed by Galway County Council on a shared service basis. He clarified that while the County Council manages the city service on behalf of Galway City Council, the full costs are met by Galway City Council and that would continue.

He clarified that he had not referred to cutbacks and confirmed that going forward the approach was to identify the best service delivery model based on existing resources both financial and human.

He detailed the current billing process and the approach to same together with the awareness measures in relation to fire prevention and protection.

He confirmed that the work being undertaken by the Review Group in relation to South Conamara, ongoing for the last 3 years, was complete. He outlined that it was now necessary to undertake a risk analysis based on the risk categorization

He emphasized the progression to an integrated risk management approach, moving away from the previous approach based on population and geography to deal with risk in an integrated approach based on the principles of protection, prevention and response.

He confirmed that the footprint of the existing station in Fr. Griffin Road was too small to accommodate an increase to two full time pumps and alternative sites for future development were being considered.

He indicated that in terms of future capital investment that it would be necessary to concentrate on the areas of greatest risk and need and this may impact on the timeframe for further development in Tuam and Ballinasloe.

He outlined that whilst the Fire Service do not have a role in managing lands with an environmental designation that consultation with the relevant stakeholders on how best to manage lands with such designations and forestry lands would form part of the implementation process.

He advised that the responsibilities of both employers and employees were clearly outlined in Health & Safety legislation and that staff are appropriately trained and aware of their responsibilities as employee as were the local authority in the role of employer.

He concluded by confirming that the fire service would continue to operate to high standards and to deliver improvements by doing and managing differently within existing available resources.

**TO EXAMINE AND CONSIDER THE CLARE RIVER (CLAREGALWAY) DRAINAGE SCHEME IN ACCORDANCE WITH SECTION 5(2)(B) OF THE ARTERIAL DRAINAGE ACT, 1945 AS AMENDED** **1484**

Report dated the 24<sup>th</sup> June, 2013 was circulated to each Member.

Mr. Gilmore presented the report and recommended that the Clare River Drainage Scheme with flood relief measures be approved. He pointed out that the OPW will seek the consent of the Minister for a Ministerial order to carry out the works and provide funding.

Cllr. McDonagh complimented the OPW and Galway County Council for work done to date on the Clare River to alleviate flooding. He referred to an area at Lackaghbeg where works were carried out but asked that a section of the river approximately 300 metre further up from Fahy's house be examined.

Cllr. Noone referred to Item 8(d) of the proposed measures relating to the raising of a local road in Caherlea/Lisheenavalla and said this would create more problems as some houses were 18" below the road level already. With regard to Item 3(b) he said that this